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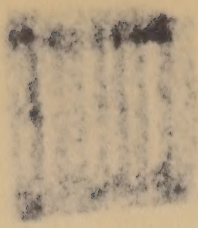

The Disestablishment of the Church of Ireland in 1869

BY

ANNA LAURA EVANS, A.M.

Sometime Fellow in History at Columbia University
Professor of History, Pennsylvania College for Women

Submitted in Partial Fulfilment of the Requirements
For the Degree of Doctor of Philosophy
in the
Faculty of Political Science
Columbia University

LANCASTER, PA.
1929

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To

MY MOTHER AND MY FATHER

PREFACE

One of the very difficult problems which confronted modern Britain for many years was that of Ireland. In the latter half of the nineteenth century, the Irish question came to the forefront in English politics, and various attempts were made—for reasons political or otherwise—to reach a solution of this difficult problem. It is the purpose of this monograph to examine one phase of the relations between Ireland and England, the Irish Church, and to trace the conditions and circumstances which led to its disestablishment in 1869. This study had its origin in an investigation of Gladstone and social politics begun under the direction of Professor Carlton J. H. Hayes of Columbia University. Inasmuch as the disestablishment of the Church of Ireland was one of Gladstone's most significant achievements, it was decided to concentrate attention on the Irish Church question.

The research on this subject has been carried on in the libraries of Columbia University, Union Theological Seminary, the General Theological Seminary and the New York Public Library.

The writer owes a special debt of gratitude to Professor Robert Livingston Schuyler of Columbia University for many valuable suggestions concerning the treatment of the subject, as well as for his painstaking care in reading the entire manuscript and offering helpful criticisms on it. Others to whom grateful acknowledgment is made for generous assistance are Professors W. W. Rockwell, F. J. Foakes-Jackson and James Moffatt of Union Theological Seminary, and the Rev. Dr. J. Elliot Ross, C. S. P., Chaplain of the Newman Club of Columbia University. To Miss

Mary A. Reilly and Miss Myrtle Cline the writer also desires to express her appreciation for their untiring labor in the preparation of the manuscript for the press.

Anna L. Evans.

Pennsylvania College for Women,
Pittsburgh, Pa.

October, 1928.

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CHAPTER I

Sketch of the Irish Church from 450 to 1800

Inasmuch as the Restoration in 1660 was really the period at which the Church of Ireland assumed the character which it kept until its disestablishment in 1869, only a brief survey of the origin and early history of the institution will be necessary for the purposes of this study.

The planting of Christianity in Ireland

The conversion of the Irish to Christianity dates from the middle of the fifth century and was effected by missionaries from Rome. From the sixth to the eighth centuries the constitution of the Irish Church was essentially monastic in character. The rulers of the Church were the abbots of the monasteries, commonly known as the coarbs, the successors of the founders. Sometimes these abbots were bishops, but whether bishops or lower clergy, their authority was inherent in their office of coarb. Some bishops served as subordinate officers in the monasteries and executed their special functions, such as ordination, at the command of the abbots. Ecclesiastical authority was vested in the abbots, and the episcopal office was conferred on certain individuals as a personal distinction. This system persisted as late as the eleventh century.

When the Danes invaded Ireland about 800, their principal object was to pillage and they accordingly attacked ecclesiastical institutions everywhere. Ireland lost many centers of learning.[1] Under these conditions it was not possible to develop Church organization. However, in 1014, the Danes met defeat at the battle of Clontarf. Following this, those Danes who remained in Ireland settled

principally in Dublin, Wexford, Waterford and Limerick. Late in the eleventh century they adopted the Christian faith and began to organize churches, which were ruled over by bishops instead of abbots. But these bishops of the early Danish dioceses were of native Irish birth, a fact that bound the churches of these Danish colonists to the Church of Celtic Ireland. Some of these bishops studied or traveled on the Continent and became familiar with the Roman methods of Church government. They desired to reform the Celtic Church. Conspicuous leaders in this reform movement were Gilbert of Limerick, Malchus of Waterford and O'Dunan of Meath.[2]

Early reform movement in the Church of Ireland

Gilbert became one of the foremost leaders in the movement for reform. In 1110 he was appointed Papal Legate, and as such was virtually the head of the Church in Ireland.[3] He addressed to the bishops and presbyters of the whole of Ireland a plan for church reform. Many of these officials were eager to bring the Irish Church into conformity with the Roman Church. The two main points in the program were that the Church should be ruled by bishops and the number of dioceses should be carefully determined. Even the monasteries were to be subject to the bishops. Thus an inherited tradition—that the abbots were the true ecclesiastical rulers—would be overthrown. This virtually meant that the old hierarchy would be replaced by a new one. Gilbert also sketched the organization of a properly ordered church. The higher ranks of the ministry were to belong to the general Church as distinct from particular churches. In regard to particular churches, he planned that at the head of each parish there should be a priest bound to obey the bishop. The immediate superior of the bishop should be an archbishop; above the archbishop should be the Primate. Primates and archbishops were to be consecrated by the

Pope at Rome, or at least they must secure from him the pall, the emblem of their office.[4]

This early reform movement was strengthened by the work of several church synods. In 1101 there was held at Cashel a great assembly, composed of Celtic and Danish clergy and laymen. O'Dunan, Bishop of Meath, presided. At this time, Murtough O'Brien, King of Munster and one of the strongest Irish rulers, gave Cashel to the Church as an offering to God and to St. Patrick. Cellach, Archbishop of Armagh, in 1110 created at Cashel a second archiepiscopal see, subject to Armagh. In the same year or soon thereafter, Malchus was transferred from Waterford to this new see. By making the archbishopric of Cashel subject to Armagh, Cellach secured for himself and his successors the title of Primate of all Ireland. From this time on, there was a great extension in the movement of forming dioceses.[5]

Another important Synod, that of Rathbreasail in 1110, marked the second stage of this reform movement in Ireland. This assembly was called by the newly appointed Papal Legate, Gilbert of Limerick, and its purpose was to bring the Irish Church into conformity with the Roman system by establishing in it diocesan episcopacy. Leaders from all districts in which there was a reforming party—chiefly from Munster, Ulster and Meath—were present. It was decided at this meeting that, including the archbishops, there should be twelve bishops in the south of Ireland and twelve in the north. The assembly also provided for the dioceses of provinces in this fashion: there were to be five in Ulster, five in Connaught, two in Meath, seven in Munster and five in Leinster. The Synod defined the boundaries of these dioceses, but in many cases they disregarded the tribal boundaries when these did not fit in with their geographical scheme.[6]

One of the most active leaders in the reform movement was Saint Malachy. As a youth he became interested in

church reform. Archbishop Cellach ordained him first as a deacon, then as a priest, and in 1119 made the young man, then only twenty-four years of age, his vicar. Malachy's duty as vicar was to administer the diocese of Armagh and he immediately set to work to introduce therein the rites of the Roman Church. Not satisfied with his own knowledge, he spent three years studying with Malchus who had retired from the archbishopric of Cashel and was living at Lismore. In 1124 Archbishop Cellach installed Malachy as Abbot of Bangor and Bishop of Connor. The new Abbot made Bangor his headquarters, and he administered his diocese with the same reforming vigor he had used at Armagh. Before Archbishop Cellach died in 1128, he nominated Malachy as his successor because he knew Malachy to be as ardent a reformer as himself. There was a fierce struggle over the election but in 1137, with the aid of two kings of Munster—Connor O'Brien of Thomond and Cormac MacCarthy of Desmond—Malachy was elected by the people and clergy as Archbishop of Armagh. He remained, however, only long enough to be elected and to consecrate Gelasius as his successor. Then he returned to his abbacy at Bangor. Two years later when Gilbert of Limerick resigned his legate's commission, Pope Innocent II made Malachy his Legate.[7]

Another phase of this reform movement concerned the question of obtaining the pall from the Pope. Gilbert had declared that no archbishop should exercise his functions before receiving the pall, but neither Cellach nor Malachy nor Gelasius nor Malchus had ever received this symbol of authority and therefore, in view of the Papal theory, did not have the right to the title of archbishop. But until the middle of the twelfth century the Church of Ireland maintained its character as an independent Church, without acknowledging any subordination to the See of Rome. The Archbishop of Armagh exercised a spiritual power through-

out the country and erected bishoprics without communicating with the Pope. When they became vacant, successors were elected by the clergy, or by the clergy and laity, of the diocese. Then the bishop so elected was usually sent to the Archbishop of Armagh for consecration. The people of Dublin, Waterford and Limerick, however, considered themselves fellow-countrymen of the Normans, so they sent their bishops to Canterbury to be consecrated. In 1139 Malachy decided to journey to Rome to ask the Pope for two palls, one for Armagh, and one for Cashel. He probably did this because he was trying to assimilate the usages of the Irish Church to those of the Church at Rome. The Pope told him it would be necessary to summon a national synod, and at the request of such a synod, the palls would be granted. Accordingly, in 1148, Malachy called a Synod at Inispatrick. This body asked for the palls and sent Malachy to receive them. But he died on the way, and the Pope then sent Cardinal Paparo, a special legate from Rome, to carry the palls to Ireland. A Synod was held at Kells in 1152 to receive them. The legate had four palls which he presented not only to Armagh and Cashel but also to Dublin and Tuam. This meant that at last the Church in Ireland, which had previously embraced within it only the Celtic parts of the island, now included also the Danish dioceses.[8]

The Church of Ireland in 1172

Prior to the reign of Henry II (1154–1189), no decisive steps were taken to annex Ireland to England. Shortly after Henry's accession to the throne, however, he sent his chaplain, John of Salisbury, to Rome to obtain the Pope's approval of a scheme for the subjugation of Ireland. The time was most propitious because the Pope, Adrian IV, was an Englishman by birth and was extremely anxious to gratify so powerful a monarch as Henry II. Henry's envoy represented that Ireland was almost beyond the pale of civili-

zation and that Henry must therefore subdue it for the Catholic Church.[9] The Pope ought to have known something about the ecclesiastical condition of Ireland, for the life of Malachy written by Saint Bernard of Clairvaux had already appeared and had doubtless found its way to Rome. Moreover, the Pope had received his education from an Irishman, Marianus Scotus.[10] Nevertheless, a papal bull was drawn up in 1155, authorizing Henry to take possession of the whole of Ireland.[11] Its authenticity was later questioned but it is now regarded by the most competent Roman Catholic authorities as genuine.[12]

For some time Henry II, due to the state of affairs in England and Normandy, did not take advantage of the Pope's bull. It is not necessary to go into detail concerning the invasion of Ireland by Strongbow and his companions. When in 1171 Henry went in person to Ireland, some of the bishops did not hesitate to acknowledge his title to the dominion of Ireland, for they knew that a powerful King could sustain their dignities better than could the petty Irish princes. The following year a synod was assembled at Cashel to study the condition of the Church. A number of canons were adopted. The sanction of the King gave effect to these regulations and the worship of the Church of Ireland in all outward appearances conformed to that of the Catholic Church in England. But the subjugation of Ireland was by no means complete. The English occupation was confined to Dublin and the adjacent coast, later known as the Pale, and it was only the Pale that was administered in English fashion under English law.[13] As to the other parts of the country, it was enough if the suzerainty of the English King was acknowledged by the native chiefs and by the Anglo-Norman barons. If such recognition was made, there was no interference in internal affairs. Irish princes frequently asserted their independence and caused a lasting hostility between the English settlers and the native

population. Several acts, especially the statute of Kilkenny in Edward III's reign, sought for the sake of English interests to prevent a fusion of the two nationalities in Ireland—the Celtic-Irish and the Anglo-Irish. Thus Henry II's intervention, instead of bringing peace and order to Ireland, only added one more element of discord.[14]

Henry VIII and the Church of Ireland

The centuries between the Anglo-Norman conquest of 1172 and the Reformation under Henry VIII in the sixteenth century are not important for this study. Nor is it necessary to narrate all the circumstances under which Henry VIII with the consent of Parliament broke with Rome. Ireland was not at all desirous of ecclesiastical change. Few of the population had heard anything about the great religious movement on the Continent. Henry as head of a reformed church was regarded by the mass of the people as a foreign oppressor. The Church of Ireland had already reached a condition of decadence. The chiefs in their wars with each other had destroyed many churches and monasteries, and the English Pale, left unprotected by a feeble government, was most miserable. The native Irish clergy and the Anglo-Irish clergy were at deadly enmity. Many of the religious houses had fallen into decay and many of the monks refused to acknowledge the Anglo-Irishmen appointed as their superiors.[15] While Henry VIII was taking final steps to shake off the papal yoke, a series of uprisings broke out in Ireland under the leadership of Lord Thomas Fitzgerald. When Henry finally suppressed this rebellion in 1535, he began to carry his measures against the papacy into effect in Ireland as well as in England. With this object in view, he procured the election of George Brown, a monk of the Augustinian Order in England, to the archbishopric of Dublin. Brown's sympathies with the Reformation made him valuable in Ireland, and he was assigned

the mission of negotiating with the nobility and of winning its support for the King's church policy.[16] Unfortunately, these negotiations bore no fruit. On the contrary, Henry's policy encountered stubborn resistance from the overwhelming majority of the clergy, especially in the districts under the control of the Archbishop of Armagh. Legal enactments were resorted to by the Irish Parliament which met in May, 1537.[17] This body declared Henry to be the Supreme Head of the Church of Ireland, and it interdicted all appeals to Rome. Officials of every class were required to take the oath of supremacy. Twelve monasteries were suppressed. Throughout the Pale the use of the English language was made compulsory. Naturally there was much opposition. Moreover, Brown had little of the true spirit of an evangelist. In an effort to convince the people that they were superstitious, he destroyed their images and relics, but by so doing he only offended their prejudices and gained nothing. At the same time, his English sermons made little impression on the Irish, nine-tenths of whom understood only the Irish language. Even the better educated of the population did not understand the doctrines that were creating excitement elsewhere. The Act of Supremacy, therefore, produced little change in the accustomed worship, but it led eventually to the extension of English influence. Although Henry repudiated the doctrine of papal supremacy, he continued till his death to adhere to the other doctrines of the Roman Catholic Church. Under such conditions the Reformation was not likely to make much progress in Ireland.[18]

In the period of transition which followed the reform laws of Henry VIII, the method of filling the episcopal sees in Ireland was not determined. Henry made some appointments independently, without resistance on the part of the people. In other cases he confirmed papal nominations. By 1570 bishops representing the papacy and bishops rep-

resenting Henry were found in the greater number of Irish dioceses, and this led to the formation of two parties which henceforth grew to be independent of one another.[19]

Elizabeth and the Church of Ireland

Passing over the reigns of Edward VI (1547–1553) and Mary (1553–1558), one comes to the period of Elizabeth (1558–1603) which presented complications in the Irish Church situation. The Queen soon showed her determination to reestablish the worship inaugurated by Henry VIII. Consequently the Irish Government received instructions in 1559 to set up the reformed worship in that country. In January, 1560, a Parliament assembled in Dublin to ratify this order. Elizabeth secured the adoption by this Parliament of laws reforming the Church,[20] which with a few variations were like those passed in England at the beginning of her reign.[21] But in the native parts of Ireland, Elizabeth, like her predecessors, met with opposition. One must remember that up to this time the idea of toleration for dissenters was foreign to statesmen, and the vested interests of conscientious clergymen who refused to conform were quite disregarded. Nor were the laws which were placed on the statute books such as to recommend alterations in religious practices to an uneducated and oftimes superstitious people. The fine of a shilling a Sunday for absence from church only served to create a prejudice against the reformed worship. Then, too, to require that the service be read in English where English-speaking clergy could not be obtained was a foolish piece of legislation. As a matter of fact, many of the clergy who did not understand English resorted to the celebration of the Mass as before.[22] Some historians, in attempting to explain the attitude toward these acts relating to the Church, maintain that the laws were passed when the Lords Spiritual were absent,[23] and that when later they ventured to remonstrate, they were told by

the Lord Lieutenant that the enforcement of these statutes was not seriously contemplated.[24] At least the evidence would lead one to conclude that few of the clergy fully conformed; those who approved the alterations made by Elizabeth must have been greatly in the minority.[25] Since at this time the authority of the english Sovereigns was very feeble outside the Pale, it is not surprising that so large a number of the bishops disregarded the Act of Uniformity. Neither can it be thought extraordinary that they persisted in their adherence to Catholicism. In the practices of Protestantism as exhibited in Ireland they saw no evidence of superiority. Besides, the law came from a hated country.

With so many of the bishops, rectors and magistrates opposed to the new legislation, the Government found it expedient to proceed cautiously with ecclesiastical changes.[26] Catholics continued to enjoy the temporalities of the bishoprics, as well as of the parochial rectories of the Church, in various parts of Ireland. Toward the close of the century when the fear of the Spanish Armada was past, Elizabeth began to insist more strenuously on conformity. Yet in the last years of her reign, there were still some of the highest officials of the Church who had not taken the oath of Supremacy.[27] Thus far, the Reformation had done little for the Church of Ireland except to alienate its revenues to the Crown and to introduce elements of discord.

The reign of James I

Early in the reign of James I (1603–1625) a new and less tolerant policy was inaugurated. The priests, many of whom were trained abroad, seem to have provoked this severity. They had been ringleaders in the cities of Munster in the attacks on the Government.[28] At the Hampton Court Conference in 1604, James complained that all he had of the Irish was their bodies; the Pope had their souls. The Irish, however, had welcomed the accession of James, hoping that

as a son of the Catholic Mary Stuart, he would be devoted to the faith they loved. They were speedily undeceived by a new publication of the Act of Uniformity of 1560. No one might thereafter plead ignorance of the original act, and the King ordered its enforcement in Dublin. In August, 1604, a proclamation was also published, commanding all priests who would not conform to withdraw by September 30 from all the corporate towns of Munster. And in July, 1605, a royal ordinance was issued, requiring "all Jesuits, Seminary priests, or other priests whatsoever to depart out of the kingdom of Ireland" before the tenth of December. Another proclamation, on October 16, ordered the people of Ireland to attend the Established service "on pain of His Majesty's high displeasure." [29]

An unsuccessful rising in the north of Ireland in 1611 led to the confiscation of vast estates, which were utilized by the Crown for the celebrated Plantation of Ulster.[30] Most of this land was given to English and Scottish settlers, which increased English power and aided Protestantism, but caused a new bitterness which bore fruit in a rebellion thirty years later.[31]

To all appearances there was no religious distinction in the Irish Parliament at this time. At the election of 1613, all those of Irish stock, including even those who refused the oath of supremacy, were declared eligible to the lower House. The manner in which constituencies were divided served however to secure a preponderance of Protestants.[32] In this Parliament, the laws which aimed at keeping the Irish as a people permanently separated from the English were repealed.[33] In addition, a Convocation of the Clergy was summoned for the first time in Ireland.[34] Its first meeting occurred in May, 1613. The next year, the attention of the Convocation was called to the Eleven Articles of Faith of 1566 which were then in use in Ireland.[35] It was decided that these Articles were brief and imperfect, so a license was

obtained from the Crown to prepare new articles of religion. The new Articles, without abolishing the episcopal constitution of the Church, did not ratify it. They passed over in silence many of the differences of the bishops and priests regarding the Articles, but in some respects they took into account Puritan differences of opinion.[36] Other differences from the Thirty-nine Articles were owing to the greater number of subjects considered rather than to doctrinal differences. The Articles when agreed upon by the Convocation were signed by the President of the upper House and by the Procurator of the lower House, ratified by the Lord Lieutenant and assented to by the King in 1615.[37]

The hopes of the Catholics again revived when Charles I (1625–1649) became King, for he had married a Catholic princess, Henrietta Maria, daughter of Henry IV of France. Knowing of the King's financial difficulties, they hoped by an offer of a voluntary contribution to prevail on him to grant them toleration. They even began to celebrate Mass openly. Furthermore, the general condition of the Irish Episcopal Church was at this time most unsatisfactory, and Archbishop James Ussher endeavored to improve its status. William Bedell, who in 1627 had been made Provost of Trinity College, Dublin, had become Bishop of Kildare two years later, and he did much to aid the Archbishop. Bedell also had the entire Bible translated into Irish.[38]

The ecclesiastical situation was further complicated by the appointment in 1632 of Sir Thomas Wentworth, afterward Earl of Strafford, as Viceroy of Ireland. Adopting Archbishop Laud's policy, Wentworth was determined to assimilate the Church of Ireland with the Church of England. He had brought with him, as his chaplain, Dr. Bramhall, who believed that religion ought to be enforced by state authority. Bramhall was immediately appointed on a Royal Commission to examine the state of the Church of Ireland and to report to the Government. This investigation merely

brought to light certain abuses, such as misappropriation of property and simony.[39] In 1634 Wentworth called a Convocation of the Clergy, by which the Church of Ireland was radically changed. Dr. Bramhall, who had in the meantime been appointed Bishop of Derry, dominated the upper House, and Wentworth by sheer force of will compelled the lower House to yield to his wishes.[40] One hundred canons —the first one of which sanctioned the Thirty-nine Articles —were framed and adopted. William Bedell obtained the consent of the Convocation for the religious instruction of the native Irish in their own tongue. No notice was taken of the canons on the Confession [41] drawn up by Ussher in 1615,[42] which up to this time had been the acknowledged creed of the Irish Church. Primate Ussher (1581–1656) himself believed that the English Articles were merely advanced to a position of coordinate importance with the Articles of 1615, and he required candidates for ordination to sign both the English and the Irish Articles.[43]

For a brief time after Wentworth's efforts at reform, Ireland appeared at peace, although there was much latent discontent. His attempt to invalidate the tithes of the proprietors had created great dissatisfaction.[44] With few exceptions the Irish peasantry still remained attached to the Catholic faith, and they were constantly at the mercy of the existing administration. The conflict in England between the King and Parliament seemed to give an opportunity to the discontented elements in Ireland, and in 1641 a rebellion broke out. It began in Ulster and revealed an intense hatred for everything British and Protestant.[45] Measures were taken by Parliament for the repression of the rebellion. Charles I had so completely lost the confidence of the English Parliament that the Puritan leaders were not willing to entrust him with an army to suppress the Irish rebellion, although the Scottish Covenanters offered to aid them in this emergency.[46] It was not until after the execution of

Charles that Cromwell and his successors crushed the Irish uprising,[47] and swept away the indulgences that the King had granted to the Roman Catholics. By an act of Barebones' Parliament, September, 1653, a large part of the land which had not been confiscated by a law passed in 1642 was now confiscated and distributed among the English soldiers.[48] Many Irish landowners were expelled from the northern part of the country but were permitted to settle in Connaught. Irish Protestants who remained loyal to the cause of Parliament, during the time of the civil war, were not affected by these measures.[49]

The Restoration

At the time of the Restoration Ireland was divided into twenty-two dioceses. The episcopate of the Church of Ireland consisted of four archbishoprics—Tuam, Cashel, Armagh and Dublin—which were divided into eighteen bishoprics, Armagh and Cashel each having five and Tuam and Dublin each four. The archbishop of Armagh was Primate of all Ireland.[50] This arrangement continued for a period of nearly a hundred and seventy years. It was designed to meet the wants of the entire country, yet there were whole parishes in which there was not a single Protestant, but from which the curate derived considerable revenue, without performing any duties. These conditions supplied the enemies of the Church with a fruitful ground of complaint.

After the Restoration, Charles II began to fill the vacancies in the hierarchy of the Irish Church which had occurred during the Cromwellian era.[51] In the selection of the new clergy, political services or family connections counted for more than piety or education. Most of the clergy of the Irish Church agreed by 1661 to require all subjects of the Kingdom to conform to the Episcopal mode of church government and to use the English liturgy.[52] There were

doubtless reasons for this subserviency, the chief of which was that many of them held their estates by doubtful tenure, a large share of them being lands lately confiscated.[53] But the enforcement of the Irish Act of Uniformity of 1560 was so bitterly resented by the Nonconformists and Catholics, that the Irish government had to insist on its discontinuance. The Irish Catholics gained little by the restoration of the Stuarts to the throne. The distribution of land which Cromwell had ordered and executed was confirmed by a parliamentary enactment in 1662; and three years later, legislative measures similar to the English Act of Uniformity of 1662 were passed by the Irish Parliament.[54] The clergy were by these enactments obliged to declare their assent to the liturgy, to make a declaration against resisting the King, and one against the Solemn League and Covenant, and to agree to a law for disabling persons to hold benefices both in England and in Ireland.[55]

James II and the Irish Church

The reign of James II (1685–1688) marks a vigorous and sustained effort to weaken the power of the Protestants. The King appointed the Earl of Tyrconnell as Lord Lieutenant and Commander-in-Chief of the army. The Earl was a Catholic, and it was reported that his appointment caused fifteen hundred Protestant families to leave Dublin alone.[56] When James was driven from the throne of England, the Irish Catholics openly espoused his cause, being assisted by French auxiliaries landed in their country. They were defeated, however, by William at the battle of the Boyne in 1690. With this defeat, the Catholic ascendancy in Ireland passed away. Limerick, the last of the fortresses held by the Irish, surrendered in 1691. This surrender was accompanied by an agreement, according to which the Catholics of Ireland were to have only such privileges as were consistent with the laws of Ireland, and which they had

enjoyed in the reign of Charles II.[57] This was an ambiguous provision, since during Charles' reign, the Catholics had been treated with harshness at one time and with great toleration at another time. Soon, however, owing to the dissatisfaction of the Protestants concerning these concessions, numerous restrictive laws were passed against the Catholics and their clergy. This legislation marked the beginning of the severe laws known as the Penal Code. By oaths and religious tests Catholics were excluded from Parliament and public office. It was only in the late eighteenth century that a fear of popular uprisings led to a modification of these laws.

The reigns of William and Mary, and Anne

The Established Church of Ireland during the reigns of William and Mary, and Anne was restored to its former position through renewal of Protestant ascendancy.[58] No Convocation was called while William and Mary ruled, and the right to tax the clergy was then assumed by Parliament.[59] Under the existing laws, First Fruits and Twentieths[60] were still being paid to the sovereign. Queen Anne, however, remitted the latter, and granted the former to a Board of Trustees to be applied in providing glebes for incumbents of parishes. The same desire to aid the Established Church induced the Queen and her ministers to revive the practice of summoning the Irish Convocation, which accordingly met in 1703, 1705, 1709, 1711 and 1713. These Convocations were largely concerned with plans for the conversion of the Catholics. From Anne's death until the disestablishment in 1869, the Irish Convocation was not again called by the Crown, and it could not otherwise legally assemble.[61] Anne's government also concerned itself with the extension of the Penal Code. Not only were Roman Catholics not eligible to be members of Parliament and of municipal corporations, but they were not permitted to vote at elections,

nor hold any official position under the Crown, nor acquire landed property. Besides, no profession, except medicine, was open to them.[62] The effects of the penal laws were anything but helpful to the cause of Protestantism in Ireland.[63]

George I and George II

No relaxation in the penal regulations occurred during the reigns of George I and George II. As a consequence there was little evidence of respect for the Church on the part of the laity and not much attendance on its services.[64] The Church of Ireland, although its membership included only a small part of the population, had come to have exclusive enjoyment of all the offices of influence, wealth and dignity in the country. Members of the Irish Church alone were qualified to sit in the House of Lords, and with few exceptions they supplied the membership for the House of Commons.[65]

During the early decades of the eighteenth century, the question of tithes to the Church was the cause of much complaint and criticism. The "tithe agistment," the tithe on the produce of grass lands, was a subject of much dispute. It had originally been enforced when Catholicism had been dominant. In some parts of the country it had not been enforced since the Reformation. The wealthy Episcopal graziers who held most of the grazing lands were its strongest opponents. In the spring of 1735 the House of Commons took up the controversy, and passed resolutions declaring that the existing ecclesiastical revenues were sufficient for the clergy and that the demand for the repeal of the "agistment" was just. These resolutions led to the formation of associations all over Ireland opposed to the agistment tithe. This resulted in the clergy having to give up their demands for the revenue.[66] Since the tithe question is discussed fully elsewhere in this study, it is not necessary to enlarge upon the subject here.[67]

Lawlessness of peasants in George III's reign

So far as the Irish Church is concerned, the years from the accession of George III (1760–1820) to the establishment of Irish legislative independence in 1782 from a dismal story. The "Whiteboys" [68] in the South destroyed much property and committed notorious crimes. The "Hearts of Oak" [69] committed sundry deeds of violence in the North, but they were not so destructive as the southern conspirators. The "Hearts of Steel" [70] were less numerous, but from the first, both Presbyterian and Episcopalian clergy denounced their atrocities. The political excitement which prevailed throughout the whole of Ireland tended to counteract the religious zeal being awakened by John Wesley and his followers.[71] Although the clergy of the Irish Church lost some of their power that they wielded earlier in the century in the House of Commons, because of the increased strength of the popular party, they were still able to obtain laws calculated to promote the ascendancy of the Protestant episcopacy. A climax in Irish affairs came in 1782 when, owing to the critical condition in the foreign relations of the Empire, the British Government had to acquiesce in the demand of the Irish Legislature for independence, backed as it was by an army of "Volunteers." [72]

Demands of the Irish patriots

The Irish Parliament had for a long time chafed under the operation of Poynings' law and the control of the English Privy Council. The Act for the repeal of this law in 1782 [73] did not entirely satisfy Irish patriots, but all anxiety was removed when in January, 1783, an act was passed by the English Parliament for removing doubts "concerning the exclusive rights of parliament and the courts of Ireland in matters of legislation and judicature." [74] It firmly established the legislative and judicial independence of Ireland

and forbade appeals from Irish to English courts. The Irish hoped that with an independent Irish Legislature, Ireland's commerce and trade would improve as well as her political status. But Ireland proved unable to compete successfully with her more powerful neighbor. The two Legislatures did not act harmoniously and their antagonisms were a danger to the Empire. To secure a majority in the Irish Parliament, the Government maintained its influence by a lavish distribution of offices and pensions, and parliamentary corruption flourished openly.[75] Independence stimulated the Irish to further efforts, and the rallying cry of the patriotic party now became " Parliamentary Reform." The " Volunteers " formed a formidable military organization and were keenly interested in this matter. In September, 1783, they held a great meeting at Dungannon and passed resolutions in favor of better representation, annual parliaments and universal suffrage. Most of the Irish feared the increasing influence of the popular party, which threatened the ecclesiastical monoply, and they therefore held aloof. But the Honorable Frederick Augustus Hervey, Lord Bishop of Derry and Earl of Bristol, and one of the most extraordinary characters of his age, joined the " Volunteers " and stood out as one of the most vehement advocates of Irish parliamentary reform.[76] The " Volunteers " summoned a national convention which met at Dublin in November, 1783, while the Irish Legislature was in session. It thus appeared very much as if it intended to overawe the administration. The Earl Bishop of Derry was one of the delegates to this convention. He entered Dublin in royal state escorted by a troop of light cavalry. Amid the shouts of thousands, the Bishop entered the Chamber, took his seat for a few moments, and then with dignified courtesy retired and drove away amid applause. The proceedings of the Bishop were thought to be so seditious that the Government contemplated his arrest, but it was considered more wise,

for the time being, to overlook his actions. The convention sat for three weeks and then adjourned indefinitely. The Bishop of Derry meantime thought it expedient to withdraw to Italy where he remained until his death in 1803.[77]

Due to the intense poverty, a sort of smothered discontent had existed in Ireland for a number of years.[78] Toward the end of 1786 it burst forth with fury and violence. The mobs met in parish chapels and took an oath to obey the laws of their imaginary leader, Captain Right, and to starve out the Protestant clergy. There were thousands of them administering the oath; from the character of the oath they were known as the "Right Boys."[79] The clergy of the Church of Ireland suffered much from their activities.

The tithes against which the people struggled were most oppressive. They were paid to clergy from whom the masses received no services. Besides, they increased with the value of the crops, and consequently were a tax on industry.[80] Some of the incumbents had become so greedy that they levied contributions for articles which were not legally liable to the exaction. For example, a tax was levied on turf and furze.[81] Since the landlords had a common interest with the land occupiers in the abolition of tithes, little obstruction was at first made to the movements of the "Right Boys," but when they enlarged their sphere of interests to include the reduction of rents and the increase of wages, the local magistrates prepared for resistance.[82] In February, 1787, Mr. Henry Grattan in the House of Commons moved for the appointment of a committee to inquire whether any just cause of discontent existed among the people of Munster or in the counties of Kilkenny and Carlow on account of the tithes or their mode of collection. He delivered a speech in support of this motion and gave plenty of evidence to prove that there was every reason for an investigation. But the spineless Parliament rejected the proposal. Twice in 1788 and once in 1789 he made similar

attempts and every time the motions were defeated by large majorities. It seemed hopeless to expect redress.[83]

Legislation had somewhat abated the rigor of the penal laws, but the Catholics were anxious to secure additional concessions. Fearing the displeasure of the government, the Catholic nobility and clergy in general had not cooperated with the Catholic Committee formed in 1757.[84] Nevertheless, one of the most distinguished advocates of the removal of the penal laws was Edmund Burke, an Irishman of Catholic descent, who in 1774 had prepared for the Catholics an address to the King, eloquently describing their grievances.[85] The Presbyterians in general favored Catholic emancipation, but the Episcopalians with few exceptions opposed any further concession. In spite of this opposition, a law was passed in 1792 by which the Catholics were permitted to teach school without a license from a Protestant bishop of the diocese, to practice at the bar, and not to be obliged to educate their children as Protestants.[86] At the end of 1792, the Catholic Committee drafted a petition to the King, in which they enumerated their grievances.[87] This petition was graciously received and an Act of relief was passed the following year, although with some difficulty.[88] It added largely to the political privileges of the Catholics. They were exempted from all penalties for non-attendance on the Established services in the parish church; with few exceptions they could hold civil and military positions, or places of honor and trust under the Crown; and they were admitted to the exercise of the franchise provided they took an oath prescribed in the Act.[89] The last concession proved to be far from satisfactory, for the poor and ignorant peasantry who received the franchise were completely under the control of the landlords, and the wealthy Catholics who might have represented them were not eligible for membership in Parliament. Earl Fitzwilliam, a liberal-minded Lord Lieutenant who thought that Pitt had given

him a free hand in Ireland, arranged with Grattan to introduce a bill to admit the Catholics to Parliament.[90] He also dismissed John Beresford, a reactionary official in high place. Pensioners set up a furor. Pitt, with the French war on his hands, had to bow to the storm.[91] The Lord Lieutenant was recalled, and the bill proposed by Grattan was defeated. Its opponents laid great stress on the difficulty presented by the Coronation oath.[92] Being greatly aroused, the discontented now joined the "United Irishmen," an organization formed in 1791 to promote parliamentary reform. In time they adopted a military program and appealed to France for aid. The French sent two expeditions but both were futile undertakings.[93]

While the agitation for the removal of civil disabilities of the Catholics was attracting notice, party spirit became wild in the north of Ireland, especially in the districts of Ulster where the government was maintaining the Establishment at the greatest cost. For a number of years the county of Armagh, which had the largest membership in the Church of Ireland, was disturbed by hostile bands of vagabonds known as the "Peep of Day Boys" and the "Defenders,"[94] who kept up a state of civil turmoil. In September, 1795, they fought a pitched battle in Armagh, where the "Peep of Day Boys" were victorious. On the eve of this victory the first "Orange Lodge" was established in Ireland.[95]

The Rebellion of 1798

The seditious plottings of the "Society of United Irishmen" finally culminated in the rebellion of 1798. The founders of the "United Irishmen" were educated men of various religious persuasions who were agreed upon the necessity of some constitutional changes.[96] They wanted thoroughgoing reform, based on the principles of civil and political and religious liberty. They also aimed at separa-

tion from Great Britain.[97] There was no difficulty in impressing the populace into the service of this society, but the untutored southern peasants did not share the political vision of their leaders. They knew only that they were oppressed. They had no security of tenure, the tithes were burdensome; many were in the lowest state of ignorance and as miserable as serfs. To them any change was desirable.[98] Mr. William McNevins in his evidence before the Secret Committee of the Irish House of Lords in 1798 put the case thus: "The lower order of the Catholics consider Protestants and Englishmen, that is, English settlers, as synonymous, and as their natural enemies." [99] They felt, too, no doubt that appeals to Parliament were futile, made up as it was of landlords and clergymen. Hopes were held out to these peasants of a quick deliverance by methods which suited their intelligence, namely, the pick and the gun. Concerning the "United Irishmen," the Lords Committee, just mentioned, reported that "the people were taught to believe that their organization would lead to the abolition of tithes, and to the distribution of property, inasmuch as they would become members of a democracy which would govern the country." [100] A document which was found in the possession of some of the prominent leaders promised to those who took part in the insurrection "an ample recompense from the nation out of the property which the crimes of their enemies had forfeited." [101] The Secret Committee of the Irish House of Commons in 1797 had reported on conditions in these words: "Your Committee think it necessary to state as their decided opinion, upon a review of the whole evidence that had been laid before the Committee, that a complete revolution and confiscation of property, and the establishment of a republic on French principles are the real objects of the conspiracy, and not the amelioration of their present condition." [102]

Many acts of gross cruelty were practiced on both sides and it would be futile to try to apportion the blame. In the autumn of 1796, the Habeas Corpus Act was suspended, and in the following year martial law was proclaimed. A general uprising was planned for May 23, 1798, but owing to the arrest of many of the leaders, the attempt was frustrated and the rebellion thus crushed. On July 3, a proclamation was issued by the Viceroy, Lord Cornwallis, offering pardon to all rebels who surrendered and delivered their arms before a certain day.[103]

The Act of Union

The rebellion had cost thirty thousand lives; Ireland was left prostrate and demoralized. The cause of parliamentary reform, land reform, and Catholic emancipation were not advanced at all. In addition, the rebellion left bitter memories. Even Daniel O'Connell called the scheme of rebellion a foolish one and he said that the means adopted weakened Ireland and enabled England to carry the Union in 1800. At any rate, after the suppression of the insurrection in 1798, the question of a union with Great Britain was brought under the consideration of the Legislature. Many opposed the plan, on the ground that it would be detrimental to the country, for since the recognition of its legislative independence Ireland had enjoyed a slight degree of prosperity. It was feared that if the Union idea materialized, Ireland would become a mere satellite of England. The abolition of the National Parliament, it was thought, would lead many of the nobility and gentry to remove to London. But many members of the various churches concurred in the proposal for Union. The Episcopalians did so because, representing as they did, only the merest fraction of the whole population, they felt that an alliance with the Church of England would strengthen them. As for the Presbyterians, they had gained little from the Irish Parliament, and they suffered from the

penal laws, as did the Catholics. The Government tried to get Presbyterian support for the Union by holding out to them the prospect of an increase in the *Regium Donum,* the Government grant to the Presbyterians. The hierarchy of the Catholic Church were won over to the scheme because they were led to believe that immediately after the consummation of the Union, their religious disabilities would be removed.[104] So with the aid of much bribery on the part of the Government, the Union Bill passed both houses of Parliament.[105] According to the fifth article, the churches of England and Ireland, as then by law established were to be united into one Protestant Episcopal Church, to be called the United Church of England and Ireland, and the doctrine, worship, discipline and government of this United Church were to remain in full force forever, as the same were by law established for the Church of England. The continuance and preservation of this United Church as the Established Church of England and Ireland should be deemed and taken to be an essential and fundamental part of the Union.[106] By the Act of Union, therefore, the Irish Church was pledged to the doctrines, discipline and government of the Church of England.

Thus the Irish Church by this act surrendered its original Articles and adopted those of the Church of England. By pledging itself to the doctrines, discipline and government of the Church of England, it also surrendered the right of holding a Convocation. If the Act of Union inflicted a blow on the nationality of the Irish Church, it conferred benefits in other ways. The Irish House of Lords heretofore having been composed of so large a proportion of bishops, the Government had been in the habit of looking to these spiritual peers, and by transfers and advancements had gained their support for English measures. The effect was to make the clergy more worldly and to take them away from their spiritual duties. With the Union much of this

ceased, since only four of the Irish Protestant bishops were to sit as spiritual peers in the Imperial Parliament.[107] The much-abused system of sending English clergymen into Ireland was also gradually discontinued.

REFERENCES AND NOTES

1. Saint Bernard de Clairvaux, *Life of Saint Malachy of Armagh,* pp. xii–xiv; Graham, Hugh, *The Early Irish Monastic School,* chap. XVI.

2. *Ibid.,* pp. xx–xxii. It is not clear why the Danish Christians elected Irishmen as their early bishops. It is a fact, however, that the names of these bishops, such as Dunan, Patrick, O'Hanley, Gilbert and Malchus, were unmistakably Irish names. See John Reginald Homer Weaver, ed., *The Chronicle of John of Worcester, 1180–1240, Being the Continuation of the 'Chronicon Ex Chronicis' of Florence of Worcester,* p. 16; C. R. Elrington, ed., *The Complete Works of Dr. James Ussher, Archbishop of Armagh and Primate of all Ireland,* vol. 4, pp. 511, 512, 518; Geoffrey Keating, *History of Ireland,* vol. 3, p. 306.

3. Saint Bernard de Clairvaux, *op. cit.,* p. xxx.

4. Ussher, *Works,* vol. 4, pp. 385–387.

5. Keating, *op. cit.,* vol. 1, p. 596; Saint Bernard de Clairvaux, *op. cit.,* pp. xxxvi–xxxvii; Lanigan, John, *An Ecclesiastical History of the Irish Church,* vol. 4, p. 20.

6. Saint Bernard, *op. cit.,* pp. xxxviii–xliv; Keating, *op. cit.,* vol. 1, p. 591; Lanigan, *op. cit.,* pp. 37, 40, 43.

7. Saint Bernard, *op. cit.,* pp. lii–liv; Lanigan, *op. cit.,* p. 59.

8. Saint Bernard, *op. cit.,* pp. lx–lxiv; Lanigan, *op. cit.,* p. 95.

9. Lanigan, *op. cit.,* pp. 159–165; Moore, Thomas, *The History of Ireland from the Earliest Kings of that Realm down to its Last Chief,* vol. 1, pp. 566–568; Killen, W. D., *The Ecclesiastical History of Ireland from the Earliest Period to the Present Time,* vol. 1, pp. 200–210.

10. Lanigan, *op. cit.,* p. 155; Killen, *op. cit.,* p. 210; Wright, Thomas, ed., *The Historical Works of Giraldus Cambrensis,* trans. by Thomas Forster, pp. 260–262.

11. Ussher, *Works,* vol. 4, pp. 546, 547.

12. Lanigan, *op. cit.,* pp. 165, 166; Thatcher, Oliver J., *Studies Concerning Adrian IV, passim.*

13. Moore, *op. cit.,* pp. 614–616; Gilbert, Sir J. T., *Viceroys of Ireland,* p. 459.

14. Wilkins, David, *Concilia Magnae Britanniae et Hiberniae,* vol. 1, pp. 471–473; Killen, *op. cit.,* pp. 215–219; Lanigan, *op. cit.,* pp. 204–212.

15. *Report of the Royal Commission on the State of Ireland* (1537), pp. 202, 248.

16. Killen, *op. cit.,* pp. 338, 339.

17. 28 Henry VIII (Irish), c. 5; c. 6; c. 8; c. 13; c. 16; c. 19.

18. Killen, *op. cit.*, p. 353.

19. Brady, W. M., *Episcopal Succession in England, Scotland and Ireland,* pp. 20–25.

20. 2 Elizabeth (Irish), c. 1, An Act restoring the supremacy of the Crown; c. 3, An Act restoring First Fruits and Twentieths; c. 4, An Act concerning the appointment of bishops; c. 5, An Act recognizing Elizabeth's title to the Crown.

21. The Thirty-nine Articles were not introduced into Ireland during Elizabeth's reign, but the Eleven Articles were ordered to be read by parsons and curates on first entering their cures and on two days of every year thereafter. The Eleven Articles were published in 1566 by the authority of the Lord Lieutenant, archbishops and bishops. They had been framed by English bishops in 1559 and had been used in England before the Thirty-nine Articles were authorized. Ball, J. T., *The Reformed Church of Ireland,* 1537–1886, pp. 65, 66.

22. Shirley, E. P., *Original Letters on the Church of Ireland,* p. 47; Brady, W. M., *State Papers Concerning the Irish Church,* p. 118; Killen, *op. cit.*, p. 377.

23. Brady, W. M., *The Irish Reformation; or the Alleged Conversion of the Irish Bishops at the Accession of Queen Elizabeth,* p. 32; Killen, *op. cit.*, p. 379.

24. Many of the Irish clergy at the beginning of Elizabeth's reign were dignitaries of easy virtue, and one can well believe that they were not disposed to offend the government by opposing the ecclesiastical revolution too strenuously. They might, therefore, have found it convenient to be absent when the question of uniformity was under consideration. Unwilling to sever their connection with Rome, they might have hoped to avoid the displeasure of the new sovereign by maintaining a prudent silence. Killen, *op. cit.*, pp. 378, 379.

25. Brady, *Irish Reformation,* pp. 55, 130, 131, 142, 158, 159; Killen, *op. cit.*, p. 379; Shirley, *op. cit.*, pp. 101–206; Mant, Richard Rt. Rev., *History of the Church of Ireland from the Reformation to the Revolution,* vol. 1, and *from the Revolution to the Union of the Churches of England and Ireland,* January 1, 1801, vol. 2; vol 1, pp. 278, 279. The two most noted conformists were Curwin, Archbishop of Dublin, and O'Fiehl, Bishop of Leighlin. Killen, *op. cit.*, p. 379.

26. *Calendar of Carew Mss., Preserved in the Archiepiscopal Library at Lambeth,* 1515–1624, ed., by J. S. Brewer and W. Bullen, vol. 5 (1589–1600), Introduction, pp. xlvi–xlix.

27. *Calendar of State Papers Domestic Series of the Reign of Elizabeth* (1598–1601), ed. by Mary Anne Everett Green, vol. 5, pp. 182, 288.

28. *Calendar of Carew Mss.,* vol. 6 (1603–1624), p. 163.

29. *Calendar of State Papers Relating to Ireland of the Reign of James I* (1603–1625), ed. by Rev. C. W. Russell and John P. Prender-

gast, vol. 1 (1603–1606), pp. 190, 300, 301; Mant, *op. cit.*, pp. 348–350; Perry, G. G., *History of the Church of England*, 1603–1864, vol. 1, p. 234; Killen, *op. cit.*, pp. 474, 475.

30. *Calendar of State Papers Relating to Ireland of the Reign of James I*, vol. 2 (1606–1608), pp. 435, 668; Killen, *op. cit.*, pp. 480–483; Leland, Thomas, *Histoire de Irelande depuis l'invasion d'Henri II*, vol. 2, p. 431; *Calendar of Carew Mss.*, vol. 6 (1603–1624), Introduction, pp. xxvi–xxvii.

31. To the great mass of the people, the Plantation of Ulster had many advantages. Under the old chiefs, their condition had been most wretched. *Calendar of Carew Mss.*, vol. 6 (1603–1624), Introduction, pp. xiii–xiv, xx–xxi, xxvi–xxvii.

32. Leland, *op. cit.*, p. 447.

33. 13 James I (Irish), c. 5.

34. This Convocation was modelled on that of Canterbury except that it was for the whole of Ireland. It consisted of two Houses which sat separately. The bishops were nearly all English or Scottish. Ball, *op. cit.*, p. 98.

35. *Ibid.*, p. 99.

36. The Thirty-nine Articles (1562) were then in use in England, although Parliament did not require subscription to them until 1570. (13 Elizabeth (English), c. 12.) The Irish Convocation made use of these Articles, but they wished to act independently, especially on the question of predestination. They, therefore, also made use of the Lambeth Articles which had been drawn up by some English divines in 1599 to please the Puritan party, but which Elizabeth would not accept. Ball, *op. cit.*, pp. 99–101; Wilkins, *op. cit.*, vol. 4, pp. 447–454. This shows that the Lambeth Articles were adopted almost verbatim.

37. These Articles are printed in Ussher, *Works*, vol. 4, appendix; Killen, *op. cit.*, appendix.

38. Burnett, Gilbert, *The Life of William Bedell, D. D., Bishop of Kilmore in Ireland*, pp. 117–119.

39. Mant, *op. cit.*, pp. 445, 446; Killen, *op. cit.*, vol. 2, p. 18.

40. Leland, *op. cit.*, vol. 5, pp. 102–104; Reid, J. S., *History of the Presbyterian Church in Ireland*, vol. 1, pp. 171–174; Killen, *op. cit.*, vol. 2, p. 22.

41. Printed in Wilkins, *op. cit.*, vol. 4, pp. 496–516; Carte, Thomas, *The Life of James Butler, first Duke of Ormonde*, vol. 1, pp. 147–149; Knowles, William, ed., *The Earl of Strafford's Letters and Dispatches*, vol. 1, p. 381.

42. Elrington, C. R., *Life of the Rev. James Ussher and an Account of his Writings*, pp. 175–177. Most of the bishops treated the English Articles as alone obligatory, and after the Restoration, the Irish Articles fell entirely into disuse. Ball, *op. cit.*, p. 120.

43. Killen, *op. cit.*, vol. 2, p. 23.

44. Leland, *op. cit.*, vol. 5, pp. 106–115; Killen, *op. cit.*, vol. 2, p. 31.

45. Killen, *op. cit.*, vol. 2, pp. 35–50.

46. Reid, *op. cit.*, pp. 284–289.

47. Leland, *op. cit.*, vol. 5, pp. 440–462.

48. Killen, *op. cit.*, vol. 2, pp. 118–119; Scobell, Henry, *A Collection of Acts and Ordinances made in Parliament*, 1640–1657, chap. xii.

49. Prendergast, J. P., *The Cromwellian Settlement of Ireland*, pp. 101, 102; Froude, James A., *The English in Ireland in the Eighteenth Century*, vol. 1, p. 147.

50. Mant, *op. cit.*, p. 613; Killen, *op. cit.*, vol. 2, p. 460. There was a short time (1551–1553) when as the result of the course taken by Archbishop George Dowdall in regard to the Prayer Book, an Act of the King and Council of England deprived Armagh of the Primacy and transferred it to the See of Dublin. Dowdall left the country, either voluntarily or was banished. The King, in dealing with the vacant bishopric, appointed an Englishman, Hugh Goodacher, in his place. The latter died a few months before the accession of Mary, and in 1553 Archbishop Dowdall was recalled by letters patent and was restored to the title of Primate of all Ireland. Mant, *op. cit.*, pp. 212, 213; Harris, Walter, ed., *The Works of Sir James Ware Concerning Ireland*, vol. 1, p. 92.

51. Killen, *op. cit.*, vol. 2, p. 129. Among the appointments were Bramhall, Bishop of Derry, who was made Primate, and the celebrated Jeremy Taylor who was made Bishop of Down and Connor. Carte, *op. cit.*, vol. 2, p. 498; Ware, *Works*, vol. 1, p. 160.

52. Mant, *op. cit.*, p. 632; Killen, *op. cit.*, vol. 2, p. 130.

53. Killen, *op. cit.*, vol. 2, p. 132; Froude, *op. cit.*, pp. 156–159.

54. No Parliament was summoned in Ireland during the Commonwealth. The Parliament in London acted as a temporary Parliament for both England and Ireland. In the new Parliament which met in 1661, the Protestants had a majority. It was by an Act of this Irish Parliament that the former declaration of the King concerning the distribution of lands was confirmed. The new Prayer Book was approved in Ireland by a resolution of the Irish Convocation in 1662 and introduced by an Act of Parliament. 14–15 Charles II (Irish), c. 2; 17–18 Charles II (Irish), c. 6.

55. 17–18 Charles II (Irish), c. 10; Mant, *op. cit.*, pp. 645–649.

56. Leland, *op. cit.*, vol. 7, pp. 77–84.

57. Froude, *op. cit.*, pp. 215–228.

58. Ball, *op. cit.*, p. 156.

59. Carwithen, J. B. S., *The History of the Church of England*, vol. 2, pp. 569–80. This was probably due to the fact that the Irish clergy were supposed to be attached to the House of Stuart who believed firmly in Divine Right.

60. First Fruits was the first year's profits paid to the Crown by any

person nominated to an ecclesiastical preferment. Twentieth Parts were twelve pence in the pound paid annually out of all ecclesiastical benefices, as they were valued at the Reformation. Mant, *op. cit.*, vol. 1, p. 122 and vol. 2, p. 239.

61. The first Convocation was called in James I's reign. Ball, *op. cit.*, p. 97.

62. Killen, *op. cit.*, vol. 1, pp. 193–205; Ball, *op. cit.*, pp. 164, 165; Parnell, Charles S., "History of the Penal Laws in the Reign of Anne, 1701–1714," in *Ireland Past and Present,* by D. P. Conyngham and J. C. Curtin, pp. 507–509.

63. Ball, *op. cit.*, pp. 164–167. The Dissenters who suffered from the Penal Code could not but regard its authors and their creed with distrust and hatred.

64. *Ibid.*, pp. 177, 178. Archbishop King in a letter to Bishop Foy wrote, "The faith of religion is very weak amongst all, and the sense is almost lost." Mant, *op. cit.*, vol. 2, p. 95.

65. Ball, *op. cit.*, p. 181.

66. Killen, *op. cit.*, vol. 2, pp. 260, 261; Mant, *op. cit.*, vol. 2, pp. 554, 555.

67. See Chapter II.

68. The "Whiteboys" were bands of lawless peasants in the south of Ireland around Munster. They were driven to distraction by sheer poverty, due in many cases to the enclosure of the commons beginning in 1760. They wore white shirts over their clothing so that they would be known to each other in the darkness. Thus they travelled all over Ireland, united by an oath of association. They spread terror wherever they went. Mant, *op. cit.*, vol. 2, pp. 703, 704; Killen, *op. cit.*, vol. 2, pp. 284, 285.

69. The "Hearts of Oak" were dissatisfied Irish peasants around Ulster who complained against the compulsory making and repairing of public roads. They appeared first in the county of Armagh. Assembling during the day, they forced all they met to take an oath pledging them to be true to the "King and Hearts of Oak." They did not, however, hold themselves to their original grievance, but soon began to administer the oath to the Episcopal clergy, binding them to be content with a certain rate tithe. From the oaken branches they wore in their hats, they received their name. Mant, *op. cit.*, vol. 2, p. 704; Killen, *op. cit.*, vol. 2, p. 288.

70. The "Hearts of Steel" were also combinations of peasants. They appeared in the county of Antrim among the tenantry of Lord Donegall, who was an absentee landlord. To meet his incessant demands for money, every tenant was made to pay a large fine for the renewal of his lease, or be evicted. The oppressed farmers, therefore, banded together and pledged themselves to be as "true as steel." They committed various acts of lawlessness against new occupiers. Mant, *op. cit.*, vol. 2, p. 705;

Killen, *op. cit.*, vol. 2, p. 289; Gordon, Rev. James B., *History of Ireland from the Earliest Accounts to the Union with Great Britain in 1801*, vol. 2, p. 248.

71. In 1747 John Wesley made his first visit to Ireland, and came frequently afterwards. Though the Wesleyans met with some success in Ireland, they also encountered great opposition. Wesley, Rev. John, *Journal*, vol. 1, pp. 179, 180.

72. This system of "Volunteers" began in 1778 when during the American Revolution the coasts of Ulster were threatened by a French invasion. In the emergency, the people of Belfast enrolled themselves as volunteers. This system of volunteering soon became exceedingly popular. Gordon, *op. cit.*, pp. 263–265.

73. *Poyning's Law* was passed in 1494. It provided that the Irish Parliament could not meet or pass an Act without the consent of the King in Council; and all English statutes were to be in force in Ireland. 9 Henry VII, c. 22; 22 Geo. III (English) c. 53. The very first Act of the Irish Parliament was to exclude Roman Catholics. The exclusion of Catholics hitherto rested on English statutes.

74. 23 Geo. III (English) c. 28.

75. Killen, *op. cit.*, vol. 2, pp. 309, 310.

76. Hastings, Selina Shirley, the Countess of Huntingdon, *Life and Times*, vol. 2, p. 195.

77. Child-Pemberton, W. S., *The Life of Frederick Hervey, Bishop of Derry and Earl of Bristol*, vol. 1, pp. 299–317; Killen, *op. cit.*, vol. 2, pp. 318–321; Barrington, Sir Jonah, *The Rise and Fall of the Irish Nation*, pp. 293, 294.

78. Plowden, Francis, *An Historical Review of the State of Ireland from the Invasion of Henry II to its Union with Great Britain*, vol. 3, pp. 100, 133. This work is hereafter referred to as *Historical Review*. Killen, *op. cit.*, vol. 2, pp. 283, 324.

79. O'Leary, Rev. Arthur, *A Defense of Ireland*, pp. 31, 32, 43; Mant, *op. cit.*, vol. 2, pp. 707–709; Froude, *op. cit.*, vol. 2, p. 496.

80. Killen, *op. cit.*, vol. 2, pp. 326, 327.

81. Plowden, *op. cit.*, vol. 3, appendix, pp. 72–115. Furze was a shrub often used as fuel and fodder. Killen, *op. cit.*, vol. 2, p. 326.

82. Plowden, *op. cit.*, vol. 3, pp. 140–142.

83. Grattan, Henry, *Memoirs of the Life and Times of the Rt. Hon. Henry Grattan*, vol. 3, pp. 334–336.

84. In 1757 a few Irish Catholics had formed themselves into a Committee to watch over the political interests of their Church. Killen, *op. cit.*, vol. 2, p. 277.

85. Parnell, *op. cit.*, pp. 551–560; Killen, *op. cit.*, vol. 2, p. 339.

86. 32 Geo. III (Irish) c. 21.

87. William, Charles, Earl Fitzwilliam, and Bourke, Sir Richard, ed., *Correspondence of the Rt. Hon. Edmund Burke between the Years 1744*

and the Period of his decease in 1797, vol. 4, pp. 275–277; Killen, *op. cit.,* vol. 2, pp. 341, 342; Fitzpatrick, W. J., *The Life, Times and Correspondence of the Rt. Rev. Dr. Doyle, Bishop of Kildare and Leighton,* vol. 1, p. 142.

88. 33 Geo. III (Irish) c. 22; Grattan, *op. cit.,* vol. 4, pp. 85, 86; Killen, *op. cit.,* vol. 2, pp. 344, 345.

89. Killen, *op. cit.,* vol. 2, p. 346; Parnell, *op. cit.,* pp. 595–603.

90. They could not sit in either House, or serve as judge, sheriff, privy councillor or Lord Chancellor. 33 Geo. III (Irish) c. 22; Killen, *op. cit.,* vol. 2, p. 354.

91. Rose, J. Holland, *William Pitt and the Great War,* pp. 339–342.

92. Grattan, *op. cit.,* vol. 4, p. 129.

93. Gordon, *op. cit.,* pp. 322, 323.

94. The "Defenders" was an organization formed by the Catholics of Ulster toward the close of the eighteenth century, to defend themselves from the attacks of their fellow countrymen who had banded together under the name of "Peep of Day Boys," an association of Protestants for seizing arms of any sort from the Catholics, for whom it was illegal to have arms. The seizure of arms grew out of resentment of the Protestants in their defeat in some party squabbles. O'Brien, R. Barry, *Fifty Years of Concessions to Ireland,* vol. 2, p. 114; Killen, *op. cit.,* vol. 2, pp. 357–359.

95. Plowden, Francis, *Historical Disquisitions on the Orange Societies,* p. 47. Most of the Orangemen were members of the Irish Church. Killen, *op. cit.,* vol. 2, pp. 359, 363, 364.

96. Lecky, W. E. H., *History of Ireland in the Eighteenth Century,* vol. 3, p. 202.

97. Musgrave, Sir Richard, *Memoirs of the Different Rebellions in Ireland,* pp. 94, 95; Killen, *op. cit.,* vol. 2, pp. 368, 369.

98. At first there was no religious motive in the uprising. Leading Catholics, both lay and clerical, were almost unanimously opposed to rebellion. But when in the heat of the struggle, Catholic peasants confronted the Protestant landlords and their associates, confusion was inevitable. The rebellion then took on many of the aspects of a religious war. O'Connor, Sir James, *History of Ireland,* vol. 1, pp. 62, 63.

99. *Report of the Secret Committee of the Irish House of Lords,* 1798, appendix, p. 45.

100. *Ibid.,* p. 46. This conclusion is also borne out by the declarations of revolutionary leaders. Byrne, Miles, *Memoirs,* p. 4.

101. Plowden, *Historical Review,* vol. 4, pp. 184–226; O'Connor, *op. cit.,* p. 65.

102. *Report of the Secret Committee of the Irish House of Commons,* 1797, p. 71.

103. Gordon, *op. cit.,* p. 454; Castlereagh, Viscount Robert V., *Memoirs and Correspondence,* vol. 1, pp. 149–153. The *Regium Donum*

began in 1610, when the clergy of the Presbyterian Churches in Ulster were allowed the privilege of receiving tithes, by James I. When they refused to accept the Commonwealth, this income stopped. But Henry Cromwell allowed them £200 a year. Charles II increased this to £600, but later discontinued it. In acknowledgment of their loyalty, William III increased the Grant to £1200. Considerable additions were made in 1785, and 1792. O'Brien, R. B., *Fifty Years,* vol. 2, pp. 365, 366; Castlereagh, *op. cit.,* vol. 3, p. 161.

104. Killen, *op. cit.,* vol. 2, pp. 369, 370.

105. *Ibid.,* pp. 370, 371.

106. 39–40 Geo. III (English) c. 67, art. v; Gordon, *op. cit.,* vol. 2, appendix, No. 4; Perry, *op. cit.,* vol. 3, p. 554.

107. 39–40 Geo. II (English) c. 67, art. iv, contained the regulation that four Lords Spiritual, one archbishop and three bishops should sit in the House of Lords from session to session, changing by rotation.

CHAPTER II

The Tithes and the Tithe War in Ireland

Since the tithes were the chief source of discontent in Ireland during the early nineteenth century, so far as ecclesiastical matters are concerned; and since the upheaval in society caused by hatred of them, forced the Government, and subsequently Parliament, to consider the question of the Established Church in Ireland, it is necessary to review their history briefly.

During the Middle Ages the Benedictines and other monastic orders of Catholic monks had established many religious houses in Ireland, and had founded livings at places where only a few cottages were clustered together. The inhabitants who were landowners and not merely occupiers helped to support these establishments by paying a tithe of their harvests, and they derived therefrom certain advantages, because the order which founded the living usually erected a church, provided them with a pastor, who instructed their children, served as their physician in times of sickness, as arbiter in their disputes, and as adviser in their agricultural undertakings.[1]

Origin of the Tithes

At the Synod of Cashel, convened by Henry II in 1172, the payment of tithes of cattle, corn, and other produce was ordered. Whether previous to this the tithe was legally obligatory does not seem clear.[2] Dr. Carew maintains that until the English invasion, the people of Ireland, at least generally, were unacquainted with the tithe system, while a Franciscan writer says that notwithstanding the decree of the Synod of Cashel, tithes were not paid in Ireland except

within the Pale, where English influence predominated.[3] The same view seems to be taken by Protestant writers.[4] At any rate, the tithes, in 1172, were vested in the bishops of the Catholic Church. The clergy at this time usually resided near the cathedral, whence they were sent out by the bishop on missionary expeditions about the diocese. They no doubt built the chancels at different stations where they were accustomed to preach and to administer the sacraments. Later, the lords of the manors desired to have resident priests on their estates, and the lord for this purpose would often make a grant of land or a glebe and then the people would add churches to the chancels for their own accommodation. This seems to be confirmed by the fact that many of the ancient chancels were obviously built at an earlier date than the churches. The bishops would appropriate certain tithes to the local priests but assumed no obligation to maintain any edifices other than those originally constructed by the clergy—cathedrals and chancels—which were kept in repair out of ecclesiastical funds. The clergy were expected to aid the poor, but there is no evidence of any stricter obligation having existed. At the period of the Reformation, some of the ecclesiastical property, having been confiscated by Henry VIII, was given to the clergy of the Irish Church, many of whom, having no flocks, resided in Dublin or even in England. The tithes however were collected from everyone, whether members of the Irish Church, Nonconformists or Roman Catholics.[5]

The question of tithes in Ireland was ever a source of contention. James W. Doyle, (Catholic Bishop of Kildare) stated before a Committee of the House of Commons in December, 1831, that tithes were never regularly collected until the time of Henry VIII (1509).[6] For a long time they were of small importance and added very little to the income of the clergy. But as the prosperity of Ireland increased the tithes also increased in value.[7] Possibly the

greatest injustice which disgraced the tithe system during the eighteenth century was the exemption from ecclesiastical taxes of pasture lands, much of which belonged to rich landowners, or large graziers. The liability of these lands to an ecclesiastical tax had been established in the law courts but the gentry did not like these decisions, and in 1735 petitioned Parliament to exempt them from this "tithe agistment." Parliament agreed with them, and the House of Commons passed resolutions, which of course did not alter the law. Nevertheless, most of the gentry around Dublin combined into an association to resist paying this tithe. In some cases the law was not enforced, but in other cases persons who refused to pay the tithe were treated as felons. Where the exemption prevailed, the burden of the support of the Irish Church was imposed on the poor Irish Catholic farmers.[8]

Mode of tithe collections

Another very real grievance in the tithe system was the manner in which tithes were collected. It was difficult for a clergyman coming to a strange part of the country, and unaccustomed to agricultural affairs, to collect the tithes without running the risk of being cheated. Consequently various methods of collection were resorted to. One device was the appointment of proctors who acted for the parsons, another was to rent out the tithes to a tithe farmer, and a third method was to sell at public auction the parson's right to the tithe. All of these methods were hated, but perhaps the first was the most objectionable. Froude stated that, "of all the carrion birds who prey on the carcass of the Irish peasant, the proctor is the vilest."[9] Arthur Young, also speaking of the proctors, said, "the greatest abuse that I heard of in Ireland was the notes and bonds taken by the proctors for the payment of tithes."[10] It is not surprising, therefore, that the downtrodden Irish peasants, in an effort

to protect themselves, resorted to violence. Some of the tithe proctors were murdered while others had to seek safety in flight. Nor were the proctors the only victims. Many of the bishops were absentees, and the unfortunate, ill-paid, hard-working curate, whom the absentee parson put in his place on a wretched pittance of forty or fifty pounds a year, had to bear all the hatred for which his superiors were responsible. Many of them were attacked by the "Right Boys" and driven out of their homes.[11]

The tithe-farmers must not be confused with the proctors; they were quite distinct, and no proctor could legally act as a tithe farmer.[12] The latter was usually the middleman of the clergy, and was notorious for his merciless greed and cruelty toward the poor. He usually got from the peasants what the parson was ashamed to demand, and he made huge profits out of his dealings. In some cases he collected from £600 to £700, of which he paid one-half to the parson. There were instances no doubt of extortion and tyranny practiced by the clergymen themselves in regard to tithes, but such were not common. In general, it was the tithe farmer and the proctor who oppressed the people. Where the clergymen themselves collected the tithes, they were usually paid with little reluctance.[13]

A third method of collecting tithes which the clergy were ashamed or unable to collect in person was by means of auctions. At such auctions the tithes payable on each farm were sold to the highest bidder. Notice was given in various parishes that on a certain day the clergyman or his proctor would hold a general auction of the tithes of that parish. The poor peasant, whose entire earnings were often barely sufficient for the maintenance of his family, had frequently to walk miles to attend this auction, in order to make a satisfactory settlement of his unpaid tithe with the person in charge of the auction. If the peasant failed to do so, he was in danger of having a part of his very meagre possessions seized at any time by the purchaser.[14]

The opposition to the tithes in Ireland was uninterrupted and effective. "From 1783 to 1830," according to Barry O'Brien, who has dealt with the tithe war more fully than has any other historian, "resistance continued to be offered at various intervals by Presbyterians in the north of Ireland and Catholics in the south of Ireland." [15] The northerners fought the system in the courts, the southerners in the field. The latter attacked the tithe in principle, protesting against tithes to an alien church; the former opposed the tithes on certain articles. In Ulster, the Presbyterians were partially successful in their resistance. Many articles, such as hay, flax and potatoes were entirely free from the tithes, and even wheat and oats, tithable in Leinster, Munster and Connaught, were taxed far less in Ulster. In fairly prosperous times the southern Irish paid the tithes under little protest. In seasons of distress, however, they asked for reductions; and when no reduction was made they not only refused to pay but resisted the efforts to force payment. The bitter fight of the southern Irish against the tithe system can be better understood, when it is known that the great tithable article in that region was the potato, which was not tithed in the north,—and the potato was in many cases the only food of the poorer people.[16] They never dreamed of going to the courts. They knew the law of Ireland was the law of the clergymen and the landlords, and so their resistance took the form of rebellion against the law. With such weapons as they could pick up, they went out to fight. The Government tried to subdue them, but in vain. From 1785 to 1830 clergymen were often obliged to give up their claims to tithes.[17]

The tithe question kept Ireland in perpetual disturbance. One of the primary objects of the "White Boy" [18] agitation was the reduction of the tithes. The ill results of the system were incalculable. Pasturage was encouraged at the expense of tillage, and there was much emigration. But by

far the worse result was the continued state of unrest into which the whole country was thrown during the latter half of the eighteenth century. Although the "White Boys" originally began their agitation as a protest against the enclosure of the commons, their principal grievance soon became the tithe system. The landlords, if they did not actively encourage the "White Boys," silently acquiesced in the agitation, in the hope that if the tithes were reduced or abolished, they might then demand higher rents from the tenants.[19]

When the clergy and the people are of the same religion, a tithe system may be tolerable; but in Ireland there was the anomalous position of a Church of the minority collecting tithes. The Catholics naturally chafed under the burden of this tax. The Presbyterians too, numbering, in 1834, about 60,000 were obliged to submit to it, but they had received some assistance from the State. In order to overcome their resistance to the Union in 1800, the hope was held out to them that a new Presbyterian university would be founded at Armagh, and that the royal bounty paid for the support of their Church would be increased. The university scheme was dropped, but in 1803, the annual "Regium Donum" was raised to about £15,000, and in 1809 this sum was further increased.[20]

Strenuous efforts were made in the Irish Parliament during the eighteenth century to ameliorate the tithe system, but without success. In 1787 Gratton carried a motion that the Irish House of Commons should consider the subject of tithes and endeavor to formulate some plan for their suppression. But nothing was done. He raised the subject again in 1788, and again his proposal was rejected. In 1789 he brought the matter up for the last time, when he suggested that a commission be appointed to inquire into the tithe system of the country, but his suggestion was not followed.[21]

First Act relating to tithes

In the nineteenth century, the first important legislation relating to the tithes was an Irish Tithes Composition Act, passed by the British Parliament June 10, 1824.[22] This act provided that, on application of the parson, or five landholders of the parish occupying lands of the value of £20 a year each, commissioners might be appointed, to fix the amount of the sum to be paid as composition for all the tithes. It was to be based on the annual tithe paid during the preceding seven years. The composition was not to be lower than that average, nor to exceed it by more than twenty per cent. It was to continue for twenty-one years, subject to triennial variations based on the fluctuation in the price of wheat and oats.[23] Sir Henry Parnell, a well-known authority on finance, in speaking on this Bill, said that he knew of no measure more likely to put an end to the unfortunate disturbances in Ireland than this one. He wished, however, that there might have been a total abolition of the tithes.[24] Mr. Joseph Hume, noted Radical leader representing Aberdeen, continuing the argument, contended that the church property in Ireland was altogether too large for the purpose for which it was intended; that there should be no overpaid absentees with salaries of from £1,000 to £3,000, and starved curates with only £50 or £60 a year; he opposed the payment of any clergyman who was not a resident. He proposed that instead of the system of tithes then in vogue there should be a general fund for the payment not only of the Protestant but also of the Catholic clergy of Ireland, and he felt sure that such a system was bound to come sooner or later. He thought it was idle to patch up a system which was rotten from the bottom. In fact, he held that the whole measure was wrong in principle; that the causes of irritation should have been removed first.[25] Lord Carnarvon also thought the measure too mild,

and said that they must either get rid of the tithes or else run the risk of rebellion in Ireland. Lord King held the same views, and was convinced that the Church of Ireland was the principal cause of the unhappy condition of that country. The established ecclesiastical system insulted the people by its ascendance, and impoverished them by its exactions.[26]

During the same debate Dr. John Jebb, Bishop of Limerick, presented a very able argument in defense of the clergy of the Irish Church and their reputed wealth. He contended that one could not judge the Irish clergy by the "individual personal charges," usually sent up to Parliament in the shape of petitions, which were vehicles of scandal. He knew very well that the Irish Church was not free from blemish, but this was also true of every other institution in Ireland. As to the loud clamor against non-residence and the enormous wealth of the clergy, he said that for a number of years clerical residence in Ireland had been improving, and clerical revenue had been decreasing. Erroneous opinions, he thought, were the result of taking the returns of the dioceses independently of each other. He quoted Dr. Lawrence, Archbishop of Cashel, as saying that the clergy of Ireland were generally resident in their respective benefices, where residence was possible, and that many whom the law designated as non-residents were, in fact, resident, at least for every practical purpose of their ministerial duties. Dr. Jebb also stated that if members of the House, like Mr. Hume, had consulted original documents, instead of relying on pamphlets, they would have found many glaring errors in their statements. As for the charge that many of the Irish clergy were constantly found at the fashionable resorts, like Bath, Harrowgate and Brighton, this did not show that they had been neglecting their clerical duties, since the law allowed to every beneficed clergyman, who had a curate resident on his benefice, a

three months' leave of absence. He found that the Irish clergy did not commonly avail themselves of this opportunity, because they were too poor. As for the enormous clerical revenue, some of the Irish clergy whom he knew, if they had not had private fortunes, which they spent bountifully, could not have maintained themselves on their church revenues. There were many others who found it difficult to educate their children and at the same time provide for the common necessaries of life. Respecting the income of the clergy, he himself would be considerably the gainer if the annual income of the bishops were fixed at £5,000.[27]

Lord King, who followed the Bishop, bitterly attacked him for studiously avoiding the whole process of the tithe system, the proctors, the tithe farmers and the bailiffs, knowing well that this information would hurt the Church. As for himself, he agreed with Dr. Paley's description of the Irish Church: "a proud, haughty, domineering autocracy of episcopal wealth and property." This was the feature which Dr. Jebb omitted from his picture, and it was this which had led to the tithe wars in various parts of Ireland.[28] The Earl of Liverpool, the last person of any importance to speak on the Bill, said that Lord King had drawn aside the veil. The friends of the Establishment would know now what to expect. It was no longer a question of granting a few more political concessions; nothing would satisfy the Irish but a total destruction of the Established Church in Ireland.[29] The Bill passed. So far as it went it was a success, but the opposition to the payment of tithes was well-organized, and many of the Episcopal clergy were reduced almost to destitution.

Opposition to the tithes

In some cases opposition seemed to be incited by the Catholic priests. Even Dr. Doyle, Bishop of Kildare, while advising the people not to break the law, encouraged them

to pursue a course of passive resistance.[30] Unfortunately, the peasantry did not always keep within the letter of their instructions. In many Roman Catholic districts tithes could no longer be collected and a reign of terror followed. Any one who dared to pay the tithes was almost sure to have his house burned, his cattle killed, or his sheep driven over the precipice. Large county meetings were held in Cork, Carlow, and elsewhere, at which resolutions were adopted fostering resistance. "It is a glaring wrong," ran one of these manifestos, "to compel an impoverished Catholic people to support in pampered luxury the richest clergy in the world, and the clergy from whom the Catholics do not experience even the return of common gratitude; a clergy who in times past, opposed to the last the political freedom of the Irish people, opposed reform, and a liberal scheme of education for their countrymen." [31] Thus we see that the politics of the recipients of the tithes rendered them obnoxious to their Catholic countrymen, for the Irish Episcopacy, with few exceptions, were opposed to Catholic Emancipation as well as to Parliamentary Reform.[32]

Another reason for the Catholic opposition to the tithes was the fact that the Episcopal ministers had begun to labor with great earnestness, and were gaining converts. The priests, in alarm, denounced the dominant Church with unusual bitterness. The people listened eagerly to attacks on the tithes, and were quite ready to carry into effect any suggestions that were made against their collection. When sheep and oxen were seized for tithes, thousands of peasants would assemble at the auction and no one dared to bid for a single animal.[33] The clergy of the Irish Church were dismayed; some ceased even to ask for their dues; and many a clergyman might be seen, with his shoeless children around him, digging in his garden, endeavoring to provide a miserable subsistence.[34] The Earl of Wicklow, in the House of Lords, stated that many of the clergymen of the Church of Ireland were living on potatoes and milk.[35]

By 1830 there seemed to be three chief causes producing the agitation against the tithes. The first was the public spirit awakened by Daniel O'Connell during the struggle for Catholic Emancipation. The second was the operation of a missionary association called "The New Reformation Society," which stirred up much religious ill will. This Society began to be active about 1824, at the time the battle for emancipation was being waged.[36] The third cause was the distress that prevailed in many parts of Ireland, which made it difficult for the poor peasants to pay their dues.

The New Reformers, as they called themselves, tried to advance the Protestant cause in Ireland, at a time when the Irish Church had almost reached the height of its unpopularity. Yet in many cases, the clergymen of the Irish Church were regarded by the peasantry as their friends and benefactors. But, unfortunately for the Church, many of its ministers had joined the "New Reformation Society," and the Church therefore became associated in the minds of the people with this hated organization. The New Reformers continued their efforts from 1824 to 1830.[37]

Although Dr. Doyle and Mr. O'Connell did not agree on all public questions they were united in their opposition to the tithes. A pastoral letter issued by Dr. Doyle on the subject of tithes was as strong as some of the passages in O'Connell's speeches.[38] It was not difficult, therefore, to induce the people to support their spiritual and political leaders. The first conflict occurred in 1830, in the Parish of Graigue, where the horse of the local priest was seized for non-payment of tithes. The people stood by him, and also refused to pay the tax. The forces of the Crown were placed at the disposal of the parson, but after six hundred men had been employed for two months, only one-third of the amount of the tithes had been recovered and the military force had to withdraw. There were a number of similar cases at Newtownbarry, Thurles and Knocktopher. By

1831, the organizations to resist the collection of the tithes became quite effective and tithes were not paid, except where a composition had been made. The terrified proctors gave up their dangerous occupation, and although a portion of the clergy insisted on their rights, not merely for the sake of incomes, but in the interest of the Church which they felt bound to defend, yet many of them had too much of a Christian spirit to persist in the collection of tithes at such a fearful cost.[39]

The contrast in the social conditions in Ireland in the decade of the thirties was striking. On the one side, there was a rapid succession of atrocities and tragedies. The bailiffs, the constabulary, and the militia engaged in driving away cattle, sheep, pigs and geese to be sold at public auction, in order to pay a minister who often had no congregation to whom he could preach the gospel. The cattle prisons or "pounds" were surrounded by high walls, but uncovered, wet and dirty, crowded with all sorts of animals, cold, starved and uttering doleful sounds. Animals were driven away in the night to avoid seizure; the auction sales took place in the midst of jeering multitudes; the murder of police and sometimes clergymen, accompanied with fiendish yells of triumph, occurred on occasions. On the other hand there were the clergymen with their families in the glebe-houses, where lately they had had plenty and comfort. Their incomes had been so reduced that in order to procure the necessaries of life for their families they had to sell their cows, horses, carts and even, in extreme cases, their books. It was this picture that aroused the deepest interest of the Episcopal community throughout all of Ireland, and even in England. During these desperate struggles force had to be employed, and on several occasions with fatal results.[40]

Parliament and the tithes

Such were the conditions when Parliament met, December 6, 1831. Both Houses promptly appointed committees to inquire into the subject of tithes. From these committees Catholics were excluded. The witnesses examined were almost exclusively members of the Irish Church, and the inquiry was limited to the mere question of the collection and payment of the tax, and the distress of the clergy; the question of the justice or injustice of the tithes was not considered at all. It was proved, however, to the satisfaction of the committees, that tithes could no longer be collected by the clergy from the peasants of Ireland without bringing odium against them, and certainly not without a standing army.[41]

The continuation of disorders appealed with resistible force to the Government and Parliament. There was a movement to put an end to a system involving so much evil, and threatening the utter disruption of society in Ireland. The Government felt that something had to be done, at least, to meet the wants of the destitute clergy and their families. Accordingly, on April 2, 1832, the Chief Secretary for Ireland, Mr. Stanley, moved that the Report of the Committee on Tithes in Ireland, be read.[42] Mr. Bernal, a member of the Committee, read the following resolutions: (1) "That in the several parts of Ireland an organized and systematic opposition was made to the payment of the tithes, by which the law had been rendered unavailing, and that many of the clergy of the Established Church had been reduced to great pecuniary distress." (2) "That, in order to afford relief to this distress, it is expedient, that his Majesty should be empowered, upon the application of the Lord Lieutenant, or other Chief Governors of Ireland, to direct that there shall be issued from the Consolidated Fund of the United Kingdom of Great Britain and Ireland, such sums

as may be required for this purpose, not exceeding £60,000." (3) "That sums so issued should be distributed by the Lord Lieutenant or other Chief Governors of Ireland, by and with the consent of the Privy Council, in advances proportioned to the incomes of the incumbents of benefices, wherein the the tithes or tithe composition lawfully due, may have been withheld, according to a scale diminishing as the incomes of such incumbent increase." (4) "That, for the more effectual vindication of the authority of the law, and as a security for the repayment of sums so to be advanced, his Majesty be empowered to levy, under the authority of the act to be passed for this purpose, the amount of arrears due for the tithes or tithe composition of the whole, or any part, of the year 1831, without prejudice to the claims of the clergy for any arrears which may have been due for a longer period." (5) "That there exists an absolute necessity for an extensive change in the present system of providing for the maintenance of the ministers of the Established Church in Ireland; and that such a change, to be satisfactory and secure, must involve a complete extinction of the tithes, including those belonging to lay impropriators, by commuting theirs for a charge upon the land, or in exchange for, or investment in, land." [43] The Irish members bitterly opposed these resolutions. "Let the tithe be abolished; let the Irish Church be reduced to the state of equality with the other churches, and the people will be content," they said. But the arguments of the Irish members were all in vain. The resolutions were carried by large majorities, and a bill embodying them was ordered to be brought in.[44]

Meanwhile the Irish people were becoming more and more indisposed to pay the tithe to the rectors of the Irish Church. This was especially true in the south of Ireland, where many of these rectors had no flocks or very small ones. On June 18, 1831, the little town of Newtownbarry, was the scene of a bloody tithe tragedy. The Rev. Mr. McClintock would

have his tithe; and by the aid of the police and yeomanry he seized the crops and goods of several persons in the neighborhood. These things were to be auctioned in the Newtownbarry market-place on the market-day. Before that day arrived notices were sent to many persons in the county requesting them to come to the sale. Considerable crowds came unarmed, their only object being to keep persons from bidding at this auction. But the Rev. Mr. McClintock was determined to have his rights. The property seized was brought into the town guarded by a large force of constabulary. The sale opened, but the crowds pressed forward and kept away the few who might have been disposed to purchase. At last, the police attacked the unarmed multitude, thirteen of whom were killed and twenty wounded. No one was ever brought to punishment. It was felt by the Orange party that the clergyman had shown the proper spirit in vindicating his rights. But many more moderate persons, even in the Irish church, thought it unfortunate that the Church had to wring its dues from unwilling payers.[45]

Two months later, August 16, 1832, a bill was passed, making composition, which before this had been voluntary and temporary, compulsory and permanent.[46] But in spite of the Bill the Irish peasants were not pleased. Many of them had heard the evidence of Bishop Doyle and others, exposing the evils of the tithe system. They had also seen in condemnation of it the testimony of the Protestant Archbishop of Dublin, who declared that it was his conviction that the tithe could not be collected except at the point of the bayonet. They had been told too that parliamentary committees had recommended the complete extinction of the tithes and their commutation into a rent-charge.[47]

In spite of the disturbances, the Government took upon itself the task of collecting the arrears of the tithes for the year 1831. It was a maxim with Mr. Stanley, Chief Sec-

retary for Ireland, that the people should be made to respect the law; that they should not be allowed to trample upon it with impunity. The odious task, thus assumed by the Government, produced a state of unparalleled excitement. Instead of being frightened by the Government becoming the Tithe-Collector General, and the army being employed in its collection, the people were driven to a frenzy. The first proceedings of the Government, therefore, to recover the tithes, became a signal for general warfare. Bonfires blazed upon the hills, the tread of thousands was heard on the roads hurrying to the scenes of a seizure or an auction. It was a bloody campaign. There was considerable loss of life, and the Government became more hated.[48] As time went on, the agitation against the tithes rose higher and higher. Anti-tithe meetings were held all over the southern counties, and attacks upon the Establishment were heard on every side. Meetings were held, and many resolutions were passed denouncing the tithe system. The Church party became alarmed, and asked Dublin Castle to interpose to prevent future meetings, especially since in some of these meetings prominent Protestants, like Pierce Butler, were elected as chairmen. Accordingly, a circular was sent out by the Castle, authorizing the magistrates to prevent any meeting that they considered might lead to a disturbance of the peace. O'Connell, hearing of these Castle circulars, sent a manifesto from London, urging the Irish to obey and saying that he would soon return to Ireland to help to advance the popular cause. On his return to Ireland, however, O'Connell was so disgusted with Parliament that he felt the only hope for Ireland lay in the "Repeal of the Union," and this became his watchword.[49]

But the Government blindly went on putting down the agitation and enforcing the law at all costs. O'Connell denounced these proceedings and assailed the Established Church as a scandal and disgrace to Ireland. In October of

1832 there was a clash between the police and the peasants at Rathkeeran, County Waterford, which again resulted in many deaths. The state of Ireland was becoming desperate. Landlords, agents, and bailiffs were shot. The houses of the gentry were raided for arms. Bands of Whitefeet, Blackfeet, Molly Maguires, Lady Clares, Thrashers and Rockites, attacked parties of the police and put them to flight. In the midst of all this confusion came the General Election of 1832. O'Connell went to the country, with the cry of "No tithes and Repeal" and the Irish Church Party with the cry of "The Union," and "the Ascendancy of the Protestant Church." The elections in Ireland resulted in a majority against the tithes, and for the Union. In England the results were favorable to the Whigs and consequently Lord Grey remained in office.[50]

When Parliament met, January 29, 1833, the principal question was Ireland. On February 5 the King delivered the speech from the throne in person, saying that if the spirit of insubordination in Ireland was not quelled, the most fatal consequences would follow. On the question of repeal, the speech declared that the Legislative Union between the two countries would be maintained, and respecting the subject of the Church, it promised "a measure by which, upon the principle of a just commutation, the possessors of the land may be enabled to free themselves from the burden of an annual payment."[51]

Mr. O'Connell, member for Dublin, in the debate on the King's speech, said it was quite clear that the Ascendancy was to be maintained. With regard to offices in Ireland, the policy of the Castle, in spite of Catholic Emancipation, was to be, "no Papist need apply." He went on to ask why Catholics and Dissenters were compelled to pay the Episcopal clergy and to help to build their churches. The Irish, he said, wanted the tithe abolished as the Government said they would do, but he felt there was no use of

pleading before Parliament, for the only answer would probably be a laugh at their country. He called upon the Chief Secretary to state distinctly whether "the Church was to be cut down or not." He then moved, as an amendment to the address, that a committee of the whole House should consider the King's speech.[52]

The Chief Secretary, Mr. Stanley, contemptuously declined to answer O'Connell's questions, saying that until the disgraceful disturbances in Ireland were put down it was idle to talk of concessions. His speech was extremely bitter, and only exasperated the Irish members.[53] Mr. Roebuck and Mr. Lytton Bulwer both maintained that the great grievance of Ireland was the Established Church, and urged that the Government change their policies. They said that the only power that made law strong was the consent of public opinion, and that the Union could only be cemented by convincing Ireland that the same legislative principles were adopted toward her as were carried into effect for England. Lord Althorp, Chancellor of the Exchequer, defended the Government and said that as to measures of relief for the grievances of Ireland, His Majesty's ministers were determined to apply the best remedies of which the case admitted, but that the Irish grievances were of too long standing to admit of a remedy at once. Ministers, he said, were bound, first of all, to repress the outrages prevailing in Ireland and to protect the King's subjects. Sir Robert Peel, member for Tamworth, spoke in much the same strain. He said that he dreaded coercive measures, but that the necessity seemed to be manifest and that he for one was determined "to support His Majesty in maintaining, as indissolubly connected with the peace, security and welfare of His Majesty's dominions, the legislative Union between the two countries." The debate finally adjourned on February 8, O'Connell's amendment having been rejected by a vote of 273 to 60.[54] On February 11, 1833, the debate on the ad-

dress in reply to the King's speech was continued. There were speeches by Mr. Cobbett, who railed against the evils of Irish absenteeism and the abuses of the Irish Church, and Mr. Thomas Atwood, who argued that no coercive measures ought to be introduced into Ireland until remedial legislation should be tried. This was voted down and the Government's proposal was agreed upon.[55]

Lord Althorp's Church Bill of 1833

The following day the Chancellor of the Exchequer, introduced a bill in the House of Commons to alter and amend the law relating to the temporalities of the Church of Ireland. It provided in the first place that there should be a tax on all benefices worth £200 a year. This virtually took the place of the former "First Fruits." The Bill proposed to lay a tax, varying from five to fifteen per cent on all livings except those under £200. Where several benefices were in the hands of one individual, the aggregate amount of the whole was taken as his living, so that, however small his livings might be separately, he had to pay a rate appropriate to his total revenue. The incomes of the bishops were to be subjected to this tax, as well as those of the inferior clergy, but in the case of the former it was not to be levied upon any living that did not amount to £4,000. Those of that amount were to pay five per cent; those between £4,000 and £6,000, seven per cent; those between £6,000 and £10,000, ten per cent; between £10,000 and £15,000 twelve per cent; and if there should be any above the last mentioned amount they were to pay fifteen per cent. This tax was to be imposed immediately, upon the actual incumbents of the several sees and other livings; besides, the income of the bishopric of Derry was to suffer an immediate reduction from £12,659 to £8,000, which the proposed tax would further reduce to £7,200. In addition, the Chancellor's plan provided that the proceeds of such a tax, estimated to be

about £60,000 to £70,000, added to the revenues of the suppressed sees, were to be placed under the management of a Board of Ecclesiastical Commissioners (consisting of members of the Established Church so appointed as to be entirely independent of the Government), who were employed to pay the charges formerly paid by Church Cess [56] and the Board of First Fruits. This fund was also to be used to increase the incomes of poor livings, and to contribute to the building and repair of churches, glebe-houses and the dividing of unions. Furthermore, the Church Cess was to be absolutely abolished and the Archbishoprics were to be reduced from four to two and the Bishoprics from twenty-two to ten.[57] Finally, the Bill aimed a strong blow against an aggravated abuse. The principal part of the incomes of the bishops, as will be shown later,[58] arose from lands attached to their sees, but the revenue drawn from that source seldom came to them in the shape of rents. Bishops were prohibited from leasing any land belonging to their sees for a longer period than twenty-one years. The bishop generally looked out for his own interests and would lease the lands of his see on the longest leases he could. He anticipated as much as possible a fair rental for that period by taking it from the tenants, in the shape of a fine. The higher the fine, the lower the rent. But in order to keep the lease constantly going, at the end of one year, or at the end, at most, of two years, the tenant would resign his old lease, and receive from the bishop a new one to run for another twenty-one years. And thus it happened that the actual income of a bishop in almost all cases was made up partly of his rents and partly of these frequent fines. While the estimated value of the land was about £600,000 per annum, the bishop by means of fines and rents did not get more than £10,000. To correct this evil, Lord Althorp proposed that if the leases were made permanent the evil would be abolished. The sum that was needed to be raised in order to do this was

about £3,000,000. And Lord Althorp proposed that this money be provided as Parliament thought expedient.[59]

On February 15, 1833, a few days after the Chancellor of the Exchequer had presented his Bill, Lord Grey introduced a Coercion Bill for Ireland.[60] In the House of Commons six nights were consumed in debate on the motion for leave to bring it in. On February 27 Mr. Tennyson moved that the Bill be postponed; the House seemed ready to follow him, when Mr. Stanley, Chief Secretary for Ireland, arose and painted vivid pictures of bloodshed and violence in that wretched island, about which he had learned in letters from Louth, Taghmon, County Queens, County Kilkenny, from Official Reports, Chief Constables Reports, and from outrages which he had witnessed in his own neighborhood, such as the demands of the "Whitefeet" and the aims of the "Volunteers."[61] He concluded his speech by saying that until the agitators were suppressed there could be no security in Ireland. The ablest speech was made by Sir Edward Lytton Bulwer, who said he would not dispute the statement of Mr. Stanley, as to the existence of anarchy in Ireland. But to him the most important question was how to put down the disorder. The Government said this could best be done by coercion, tempered by concession, but, he thought, it ought to be done by concession alone. He termed the policy of the Government, "a quick alternation of kicks and kindness, coaxing with the hand and spurring with the heel." This only exasperated the Irish peasants, and he felt that sullen, bitter, unforgiving recollections were worse than open rebellion. A few days later, on March 8, Mr. Hume denounced the measure as a breach of the Constitution, the title of which should be "a Bill to put down Daniel O'Connell, and to keep up the military and Church Establishment of Ireland."[62]

Lord Althorp, on March 14, 1833, in the House of Commons, again brought up his Irish Reform Church Bill, mov-

ing the second reading, which was carried after a short, dull debate, by a vote of 317 to 77.[63] Several weeks later the House went into Committee of the Whole on the Bill.[64] The Irish members were content with it as it stood, but the members of the Irish Church had set their minds on omitting clause 147, which enabled Parliament to apply the revenue of the suppressed bishoprics to state purposes. Stanley, to avoid a conflict in the House of Lords, moved that this clause be omitted, and in spite of O'Connell's vehement attack on the Government, this amendment was carried, and the Bill was passed in the Commons July 9, 1833.[65]

In the discussion on the Bill, Daniel O'Connell supported it, although he felt that it did not go far enough.[66] Richard Lawlor Sheil, Irish member for Tipperary, admitted that the Government had done much but that they ought not to stop with reducing the bishoprics to ten. Why let the ten remain? For, said he, until a radical and effectual reform of the whole system was effected, the agitation in Ireland would continue. In regard to its violating the Act of Union, the other Tithe Acts had proved that Parliament felt they had the right to appropriate the surplus revenues of the Church.[67] Thomas Lefroy, representative for Dublin University, advised that before legislating with regard to the Church of Ireland, the House had better inform itself on the subject. If there were any enormous extravagances connected with the Irish Church, he would say remove them by all means. But it was not consistent with justice, "to trench on the property of the Church" which was only moderately endowed. Besides, surely the Protestant clergy held their property upon the same terms as that of private individuals, and if you could not interfere with one, you could not interfere with the other.[68] The member for Hastings, John Warre, ridiculed the argument, that this Bill violated the Act of Union. "Could a man," said he, "be so arrogant as to say that when he had once legislated, he

legislated forever? Eternity and immutability could not belong to anything connected with the institutions of man. What Parliament had done they might do again." In considering establishments, he felt that they were living in the days when establishments were regarded and maintained with a view to their utility, and not merely with regard to their antiquity. He thought it was impossible, therefore, to avoid introducing efficient reform in regard to the Church of Ireland, and now was a good time for effecting it.[69]

Thomas Babington Macaulay, member for Leeds, said he objected strongly to those who cried out that the institution of property was endangered by removing abuses. He felt that the best and truest friends of property certainly could not consider the abuses and anomalies of the Irish Church as being sacred property. He agreed that an incumbent had a right of property in his benefice, but one must remember that he was not only a proprietor but a public functionary, and his rights in the former capacity were controlled by his duties in the latter. The Established Church had become "tainted with languor," it was time that they tried new methods. Protestantism did not depend on mere sees, for if this were true there would be no Presbyterian Church in Ulster.[70] Sir Robert Peel, the last important speaker in this debate, admitted that for the sake of Protestantism in Ireland, the Church of Ireland ought to undergo revision. But this revision he felt ought to be undertaken deliberately. It was absurd to say that the Coronation Oath was a barrier to the King's giving his assent to well-considered measures for the reform of the Irish Church. Nevertheless, he felt that there was need of caution when interfering with existing interests, for it was so easy to establish a principle that might be used with regard to other property.[71]

On July 9, 1833, Lord Althorp's Bill was brought up from the Commons to the Lords. The Lords received it with ill-grace, and the Orange Party in the House determined to

tackle it in committee, but their efforts were in vain, and the Bill passed third reading, July 30, 1833. There were a few interesting debates in the Lords on the Bill. The Archbishop of Dublin opposed it because it violated the Coronation Oath. Earl Grey answered the Archbishop's argument by saying that the best authorities in the country were of the opinion that the Coronation Oath related to the executive and not to the legislative functions of the King.[72] The Archbishop of Canterbury presented a petition from the archdeacon and the clergy of the diocese of Limerick, and a similar one from the diocese of Armagh, protesting against the Bill. The petitioners were not opposed to the consolidation of a certain number of bishoprics, the revenues of which should be applied to diminish the tax upon the clergy, but they implored the Lords not to reduce them to the state contemplated by this Bill. They did not want Parliament to suspend appointments of incumbents where there had been no divine service for three years, for this would be a hardship. The Archbishop of Canterbury quite agreed with them.[73] The Duke of Wellington presented petitions from the clergy in the dioceses of Clogher and Cloyne against this Bill. In presenting them, he stated that he opposed the Bill, too, because it was contrary to the previous policy of Parliament, a policy which since 1660 had been to maintain the Protestant Episcopal Church in all its integrity. Besides, it violated the Coronation Oath. The Duke of Newcastle agreed with the Duke of Wellington that the Bill violated the Coronation Oath.[74] Earl Grey, in moving the second reading, asked whether the Act of Union was always to bind the Legislature against ever effecting any alterations which would benefit the Church. In his opinion, the strongest reason for supporting the Bill was the fact that a large majority of the other House, many of whom were authorities on the subject, had supported it.[75]

The Bishop of Exeter, in a long speech, defended the

Irish Church, and asked the House what single advantage this measure would give to the Roman Catholics. The attacks, he said, had been made on the Established Church, but the present measure only "proposed to clip the wings of the Church, and to exhibit her in a humbled condition to her rivals." As the Bill also violated the Coronation Oath, he would oppose it. Lord Plunkett and the Marquis of Lansdowne spoke in behalf of the Bill, showing how the measure was calculated to strengthen the Church in her possessions before it was too late.[76]

The Church Reform Act of 1833 was really a step in the right direction, but it left untouched the real grievance that of the abolition of tithes, and omitted entirely the question of disestablishment, the latter being really the crucial question. In fact, most of the members of the Irish Church opposed the measure and called it the "Church Spoliation Act." They did not see that the Church needed any reform; the Church Cess was a just tax; and twenty-two bishoprics were not too many, while the appropriation of the amount saved by reducing their clergy they felt was an act of sacrilege and a violation of the Coronation Oath. But they were partly consoled by the Coercion Act.

It was thought by some that the Irish Church Temporalities Act grew out of the Reports of the Commissioners on Ecclesiastical Revenues; but the fact is that the Bill was pushed through the Legislature long before the Reports were published. The first Report related only to the Archbishoprics and Bishoprics, and this was not presented until May, 1833. The second Report dealt with Catholic establishment and was not placed in the hands of Members of the House until 1834. The third and fourth Reports were not printed until 1836–1837. Something had to be done, and at once, to save the Church from destruction, and so the Irish Church Temporalities Act was passed. But the anomalies in the Irish Church were just as great and as numerous in 1833

as they were in 1865, in spite of this Act. There was on hand, however, information of a certain sort, and quite sufficient to have induced the ministers to propose legislation before the authentic reports had been published. Mr. Hume's ninety-three speeches alone, in 1822, 1823, 1824 and 1825, bristling with disclosures of the numerical inferiority, the inequality of revenue, the disproportion of pay to work, and the total religious failure of the Irish Establishment, had somewhat enlightened the public mind. Mr. Hume in these speeches reckoned the annual revenue of the Irish Church at £1,000,000 sterling, and later, his estimates was found to be nearly correct.[77]

Before the meeting of Parliament, January 29, 1833, after the appearance in the press of the announcement that a coercion bill would be introduced at the beginning of the session, hostilities ceased for a time in Ireland. But toward the end of April the "Whitefeet" moved about Ireland as usual, and the tithe-renters offered a bold front, and when on April 24, the inspector of police proceeded to collect the tithes for 1831, in Kilmurry (County Waterford) the tithe war began. During July, there was a suspension of the tithe collection, but toward the end of August the war broke out again, when there was an attempt at valuation for the tithes in lands near Kilkenny; the peasants attacked the surveyors, smashed their instruments, and drove them away. The following month another attempt was made to value lands in the same county, and with the same results. Daniel O'Connell, meanwhile, issued a manifesto calling on the people to persevere in their efforts to put down the tithe system.[78]

It was found that the whole amount of arrears for tithes for the year 1831 was £104,285, and that the whole amount which the Government had been able to levy, after putting forth every effort, was £120,000. Inasmuch as the cost of collection was £60,000, there remained for the clergy only

£60,000.[79] The Government decided, therefore, not to persevere in prosecutions from which no parties reaped any advantage, and so all processes under the existing law were abandoned. It was found that in order to pay the clergy the arrears of 1831, 1832, and what was due in 1833, about £1,000,000 would be required. This sum was provided for by an issue of exchequer bills, the reimbursement of which advance was to be effected by a land tax.[80]

While the disturbances concerning tithes were going on, there came to Ireland, in September 1833, a new Lord Lieutenant, the Marquess of Wellesley, brother of the Duke of Wellington, and a new Chief Secretary in the person of Mr. Littleton. These new officials, however, brought no change in policy. It was quite obvious by this time that the tithe system could no longer be maintained with safety, but statesmen could not see their way clear to inaugurate a change and at the same time continue the Establishment. The condition of the clergy awakened much sympathy, and large subscriptions for their benefit were raised among the nobility and gentry. Finally a measure entitled "An Act for the Relief of Owners of Tithes in Ireland" was passed, which voted a million of pounds sterling for their immediate relief.[81]

At the opening of Parliament, February 4, 1834, the King in his speech said: "I recommend to you the early consideration of such a final adjustment of the tithes in that part of the United Kingdom (Ireland) as may extinguish all just causes of complaint, without injury to the rights and property of any class of my subjects or to any institution in Church or State." [82]

Mr. Littleton's Tithe Bill of 1834

In the House of Commons, February 20, 1834, the new Chief Secretary for Ireland deplored the failure of all legislative efforts to make the tithe system work. The statute

book, he said, was loaded with enactments for the purpose of giving the proprietors of tithes effectual means to enforce the law. All of these had proved ineffectual, and many of them, especially those of the most severe description, proved utterly useless. He realized that the difficulty of collecting the tithes was increased because of the minute subdivisions of tilled lands, which alone were liable. In some instances, the charge upon the land amounted to seven parts of a farthing! The highest aggregate charge was against those individuals who owed about twopence. But the twopence might be as great an impost to one person as the tax of two pounds was to another. There was another great severity, he explained, connected with the question of tithes. They were not simple. One proprietor alone did not come to a poor peasant to demand his tithes, but many came and fastened their claims upon him.[83] There were different kinds of tithes—vicarial, rectorial and impropriate, all of them often to be collected from the same individual, who was bound to meet the separate demands of each tithe owner. The opposition to tithes, then, though it might receive an impulse from agitation, was not to be wholly traced to that source. There was a deeper source in the severity of the impost itself. Mr. Littleton also showed how Mr. Stanley's measure of the preceding session, providing for the commutation of tithes by compulsory composition, had worked out in sixty-six parishes in twenty-two different counties. He found that in a number of parishes, before Mr. Stanley's measure was passed, there were 16,321 tenants liable to the payment of tithes; and since the passing of the measures by which yearly tenants and tenants-at-will had been relieved from the payment of tithes, and the imposition put on landowners, the number of persons liable to the tithes was reduced to 7,047. This Bill had done much, but much remained to be done. The clergy were lawful owners of the tithes and had a right to be secure in their receipt. The

Chief Secretary therefore proposed a bill for the compulsory and permanent commutation of the tithes; that is, the tithes should be commuted into a land tax which would amount to eighty per cent of the tithes (in committee this amount was fixed at sixty per cent). The measure also planned to enable the parties to pay the land tax so created, and to redeem it, five years being allowed for redemption. In case the land tax was not redeemed within five years, that tax should become a rent charge, and should be redeemable at any time through purchase, upon certain conditions to be clearly specified.[84]

Mr. O'Connell decidedly opposed the Bill, claiming that the only change this would make was to substitute the landlords for the clergy as the hated collectors of the tax. He added that if the Irish people were not relieved of their burden, it mattered little to them in whose hands the tithes were placed. He would propose the reduction of the temporalities of the Irish Church and the diminution of its tithes by two-thirds,—one-third to be left to the Irish Church, one-third to be given to the Catholic Church, and the other third to the other Churches. This, said Lord John Russell, was nothing more than a bid to abolish the tithes altogether, a mere act of confiscation. In spite of the opposition, when the question was put, Mr. Littleton's proposal was agreed upon. On May 6, 1834, the Bill passed the second reading.[85] During the discussion, More O'Farrell of Kildareshire pointed out that Mr. Littleton's measure would not make the collection of the fund one bit easier, and it did not remove the bad provision of former Acts. His first objection to the Bill was that it was almost unintelligible. It was a tithe to all intents and purposes even if it was designated by the name "land-tax." He proposed a number of resolutions, which in substance meant the absolute abolition of the tithe.[86] Grattan, on the same day, maintained that the Bill would only increase irritation and agitation in Ire-

land. He quoted Lord Anglesey as having once said, that the most important thing with regard to Ireland was reform in the Church of Ireland; that the Church had been upheld by the State mainly on the ground that it served the temporal purpose of consolidating the union between the two countries. If that were true, Grattan could see no reason why this enormous burden was being kept up. The Bill was unjust and he hoped it would not be carried into law. The debate on the Bill was resumed May 6, 1834. Discussion began with a tilt between O'Connell and Stanley over the latter's contemptuous smile at O'Connell and O'Connell's demand for the count of the number of members present in the House.[87] Mr. Ronayne, another Irish member from Clonmel, said he was opposed to the perpetuation of a State Church under whatever name it was saddled, tithes or commutation. "So far as he could see the Church of Ireland was maintained for no other object than to enable the English gentry to quarter their children upon it." Besides almost every one knew that the darkest crimes that disfigured the annals of Ireland, "Whiteboyism" in its various forms, all sprang from efforts to maintain a Church from which the majority of the people received no benefit.[88]

The debate ended May 27 with a crisis in the affairs of the Cabinet, forced by a resolution proposed by Mr. Ward, member from St. Albans, which pledged Parliament to appropriate the surplus revenues of the Church to State purposes. He moved that the Protestant Episcopal Establishment in Ireland exceeded the spiritual wants of the Protestant population, and that, it being the right of the State to regulate the distribution of Church property in such a manner as Parliament may determine, it was the opinion of the House, that the temporal possessions of the Church of Ireland, as now established by law, ought to be reduced.[89]

The debate was adjourned by Lord Althorp because it was understood that some of his colleagues had resigned.

In the interim, Mr. Stanley (Secretary of State for the Colonies), Sir James Graham (First Lord of the Admiralty), the Duke of Richmond (Postmaster General), and the Earl of Ripon (Lord Privy Seal), resigned their offices not because they differed from their colleagues on the subject of the appropriation of Church property, but Mr. Ward's motion led them to feel that there would be great difficulty in the situation, and in order to relieve the Government from the difficulty of meeting the question without having something of a decisive character to propose, they resigned.[90]

When the House met again, June 2, 1834, Lord Althorp declared the inability of the Government to consent to Mr. Ward's proposal, but announced the determination of the Government to appoint a Lay Commission to inquire into the state of the revenues of the Church and to consider the whole position of the Established Church in Ireland. In an able speech, he reviewed the state of Ireland and remarked that since 1819 it had been necessary to maintain an army of 22,000 men at a cost of £1,000,000 per year, exclusive of the police force, which cost £300,000 per year. All this enormous expense and trouble in governing Ireland he attributed to the existence of a religious establishment which was hostile to the majority of the people.[91] O'Connell warned the ministers not to be led astray by the delusion that a Commission would do any good. Commissions were only wet blankets to stifle what the country wanted,—satisfaction. They were usually "milk and water" affairs for the purpose of gaining time.[92] In spite of the denunciations against Commissions, several Irish members heartily concurred in the proposal. Their notion was to try to pass the resolution concerning a Commission and then have a government in whom they could confide to carry it into effect.[93]

Most of the members of Parliament, including Sir Robert Peel, Sir Robert Inglis, Mr. Stanley, Mr. O'Reilly, Mr. Clay,

Mr. Lefroy and Colonel Connolly, admitted that there were in the Church abuses which needed reforming, such as pluralities, non-residence, internal discipline of the Church, increased respectability of its ministers, and even a better distribution of its revenues. But the question of the appropriation of the Church funds to any other than Church purposes involved principles to which they could not assent. According to their opinion, the House was bound to preserve inviolate the Protestant Establishment in Ireland as well as in England. Nevertheless, when Mr. Ward pressed his resolution to a vote it was defeated.[94]

On August 1, 1834, the Coercion Bill was to expire, and the Chief Secretary won O'Connell for the Government side by telling him that the officials responsible for the Government would oppose a renewal of the Coercion Act. O'Connell immediately stopped his agitation against the Government, but unfortunately Lord Grey did not agree with Littleton, and introduced his Coercion Act Renewal Bill. To save his face, Littleton resigned as did also Lord Althorp.[95] Then Lord Grey himself resigned because he felt that he could not carry on the Government without Lord Althorp. The King accepted Lord Grey's resignation, and immediately sent for Lord Melbourne, who after some difficulty succeeded in forming a new Ministry.[96] Immediately a bill for the renewal of Grey's Coercion Act in a mitigated form was introduced and passed.[97]

The difficulties thrown in the way of the Government by the Appropriation Clause and the Coercion Bill having been disposed of, Lord Althorp, Chancellor of the Exchequer, who had withdrawn his resignation previously mentioned,[98] asked the House to go into Committee on the Tithe Bill, which since its introduction on February 20, 1834, had undergone some alterations.[99] Under the amended plan the landowner who consented to convert the tithe into a voluntary rent-charge on his estate was entitled to a pre-

mium. The rent-charge was to be a sum equal to the interest at three and one-half per cent on the amount of land-tax multiplied by four-fifths of the number of years' purchase which the land was worth. The loss to the Church was to be made good by the application of the Perpetuity Purchase Fund, which was available.[100] The Bill was not to come into operation for five years, in order to give the Government ample time to collect the arrears due on the advance made by Parliament to the clergy.

O'Connell opposed the measure, and suggested postponement of the question until the Church Commission, appointed June 2, 1834, had reported, when the whole question of the Irish Church could be dealt with comprehensively.[101] But the House supported Lord Althorp by a vote of 154 to 16.[102] Then O'Connell decided to strike back at the Government, and proposed that the ministers give up the arrears altogether, which would enable the Bill to come immediately into operation, and the tithe could at once be converted into a rent-charge. In this way, he said, the Government would no longer be subjected to the odium of the collection of tithes, which might at least allay Irish discontent.[103] His amendment took the House by storm, and was passed by a vote of 82 to 33. A few days later, however, the Lords threw it out by a majority of 67 votes.[104]

Many members of the House of Lords had opposed the Bill when they found that a number of the Irish clergymen were wavering in their opinions as to the course they ought to take. Lord Ellenborough, the Lord Chancellor, and Viscount Melbourne thought that many of the clergy, because of their poverty, were forced to approve the Bill, and they believed, that if the measure passed, many of the Irish clergy would be the sufferers, and might perhaps be even reduced to starvation.[105] Others, like the Bishop of Derry and the Marquis of Lansdowne, though they might differ in regard to particular measures, were agreed that the permanent

settlement of the tithe question was essential to the people of Ireland, and to the security and preservation of the Protestant Church Establishment.[106] The Earl of Mansfield and the Bishop of London opposed the Bill. They felt that it was unjust to the clergy, and if they yielded to an injustice it would only lay the ground for future evils. Furthermore, if they passed a Bill with the idea that Church property might be applied to other than ecclesiastical purposes, it would mean the gradual and final extinction of the income of the Church, and end in its disestablishment.[107]

The news of the rejection of the Tithe Bill by the Lords was received with great joy by the Irish Church Party in Ireland. The Orange Society had a magnificent banquet at Dublin, at which Lord Roden presided, and declared "that the bond that united Ireland with England was Protestantism." So once more Daniel O'Connell turned to the popular watchwords "No tithes" and "Repeal." In November, 1834, there was a vast gathering of sixty thousand Orange yeomen at Hillsboro, under the presidency of the Earl of Hillsboro. The speeches centered in the idea of "No Surrender, No Popery." To England it seemed as if the Protestants were able to defend themselves.[108]

Again there came a change in Government. The King had regarded the Government with disfavor since the appointment of the Church Commission and the retirement of Grey, and on November 14, 1834, he availed himself of the pretext afforded by the succession of Lord Althorp to the House of Lords and the difficulty of getting a Whig leader in the Commons, to dismiss the Melbourne Ministry. On December 9, Sir Robert Peel formed a Tory administration. The Earl of Haddington was sent to Ireland as Lord Lieutenant and Sir Henry Hardinge as Chief Secretary. In his Tamworth Manifesto December 17, Sir Robert Peel declared his intention of maintaining the Irish Establishment and his fixed objection to the alienation of Church property from "strictly ecclesiastical purposes." [109]

The work of tithe collection had begun in November and within a month the Twenty-ninth Regiment and the fourth Royal Irish Dragoons proceeded to collect the tithes of Archdeacon Ryder in the parish of Gortroe, County Cork. The Dragoons were met near Gortroe by a band of peasants armed with all sorts of weapons, but they made no efforts to obstruct the advance of the Dragoons and retreated steadily before them. When the farm of a certain widow Ryan, who owed the sum of 40 shillings for arrears in tithes, was reached, the peasants proceeded to put up barricades, and wildly shouted "No Tithes! No Parson! No Church!" Captain Bagley, who was in charge of the troops, proceeded to read the Riot Act, but this only made the peasants more determined than ever to fight. The order was finally given to fire, whereupon the peasants were forced to retreat.[110]

Another tithe tragedy occurred the same day at Rathcormack, County Waterford. Seizure had been made of the property of a poor widow to pay the Protestant parson. Her neighbors became greatly excited and assembled in huge crowds to resist the taking of any of her possessions. They overturned a wagon in the lane, leading to the widow's residence, in order to block the way. The officers of the law, well supported by police and militia, approached. There was some parley, a few stones were thrown, the Riot Act was read, and then orders were given to fire. Many were killed and wounded. Although the clergyman carried off his tithe of the widow's sheaves, yet peasant combinations became more widespread in that section. The Catholic Archbishop of Tuam in a letter to the Duke of Wellington proclaimed the tithe laws as contrary to right, reason and justice and said that he himself would refuse to pay them.[111]

Lord Morpeth's five Tithe Bills

In December and January of 1834–1835, a general election to Parliament took place. In spite of his defeats in

the new Parliament on the address and the speakership, Sir Robert Peel clung to office. Lord John Russell, pressed by O'Connell, decided to give Peel battle once more on the question of the Irish Church. Peel, however, did not wait to be attacked. Sir Henry Hardinge (Chief Secretary for Ireland) brought forward on March 20, 1835, the ministerial plan for the settlement of the tithe question. It was proposed that in the future arrears of tithes should be recoverable only from the chief landlords, or the persons having the first estate of inheritance in the land, in the form of a rent-charge, and that the clergy should be entitled to recover only seventy-five per cent of the amount of the tithe; twenty-five per cent being allowed on the cost of collection and the risk which the landlord assumed. The arrears of 1834 were to be paid out of the residue, to be advanced from the Consolidated Fund.[112]

Lord John Russell in debate maintained that this Bill showed very little difference from the last Government Bill which the Tories had rejected. Joseph Hume assailed the Tories as being dishonest in introducing this measure which was similar to the one they had denounced the previous year as "an act of spoilation." O'Connell stoutly maintained that no bill would satisfy the Irish unless it contained a proposal for "appropriation." Lord John Russell finally urged Spring-Rice to move as an amendment to Lord Hardinge's proposal "that it was expedient to alter and amend the laws respecting tithes in Ireland." This was rejected by a vote of 213 to 198. But Russell, not daunted, soon renewed the attack and moved for a committee of the whole House to consider the temporalities of the Irish Church. He proposed "that the surplus revenue of the Irish Church be applied in some way for the religious and moral improvement of the people of Ireland." [113] The discussion which followed was particularly interesting, as it turned much on the question of religious establishments.

Other members, including Lord Howick for Northumberland and Mr. Sheil, while fully admitting that an establishment tended to promote religious and social good order, contended that the Irish Church had failed to secure these objects and ought therefore to be disestablished. They held that an establishment must always fail when, as in Ireland, the members of the Established Church are only a minority of the nation, while the majority who constitute most of the poorer classes are thrown upon a voluntary system for the support of their own clergy. They concurred with Paley in his view that an Established Church should be founded upon utility, that it should communicate religious knowledge to the masses of the people, that it should not be debased into a State engine of political power. They produced statistics which showed that the membership of the Irish Church had fallen off, and Lord John Russell himself said that from the very best compilations which he had seen, it was not an exaggeration that the entire number of Protestants belonging to the Established Church was 750,000, and that of this number 400,000 lived in the ecclesiastical province of Armagh.[114]

O'Connell declared that the Irish Church had been a hopeless failure. It had not converted the Irish to Protestantism, and so far as he could see, it had only been an agent in intensifying the hatred of Ireland for England.[115]

Sir Robert Peel condemned the tactics of the Opposition as unfair. It was absurd, he said, to talk of appropriating surplus revenues of the Church before it had been proved that there was a surplus. This could not be determined till the Church Commission reported, and until the House knew exactly what the revenues of the Church were.[116] Sir James Graham agreed with Peel that the revenues of the Established Church had been greatly exaggerated. They all knew that the vestry cess had been abolished and that a tax of fifteen per cent exclusively borne by the clergy had been laid

also on all livings. The Church Temporalities Act provided that when a vacancy occurred there should be no new appointment, in any parish in which service had not been performed from 1830–1833. Also, the revenues of that living should be given to other Protestant parishes needing it. They contended too that resistance to the tithes would not end by applying a small fraction of it to different surpluses. The agitation would only be increased by encouraging the hope that the Church would soon be stripped of all her revenues. The Conservatives also stated that this was the first of a series of measures avowedly intended to annihilate the Protestant Establishment, and in their judgment a sound policy required that the Protestant Establishment be maintained in Ireland. Graham went on to prove that the livings were not too high and that the average was not more than £200 per year. He felt that it behooved the Whigs to oppose this disastrous revolution because property set apart by their ancestors to maintain the Protestant religion was sacred.[117]

Mr. Littleton, who had withdrawn his resignation at Lord Althorp's urgent request, contended that the nature of the Established Church in Ireland was an anomaly without parallel in the history of the world. In other nations where religion had been planted by the sword the results had been successful. But in Ireland, after three centuries of oppression, the great mass of the people still continued to be hostile to the religion established by law. He could find no other country in the world in which the temporalities of the Church were given to such a decided minority.[118]

Lord John Russell, in closing the debate remarked that if the Church Commission reported that there was no surplus, his motion of March 30 would, of course, be inoperative and no harm would be done. But as for himself, he had strong views on the question of appropriation and he would, therefore, press his motion to a division. It was necessary, he added, to know whether the principle of appropriation

would be sanctioned before they could come to a decision on Mr. Hardinge's resolution. As for himself, he would not vote on any tithe bill in which the principle of appropriation was not recognized. Nor would he support any Government that would continue to use force in the collection of the tithes in Ireland. He ridiculed the argument concerning "sacredness of Church property," when the Government scheme proposed to take ten per cent of the Church property and to give it into secular hands.[119] On April 2, the House adopted Russell's motion by the small majority of three.[120]

Despite this defeat, Sir Robert Peel remained in office. Lord John Russell on April 3 moved "that it was the opinion of this Committee that any surplus which may remain after fully providing for the spiritual instruction of the Established Church in Ireland ought to be locally applied to the general education of all classes of Christians."[121] This motion was also carried against the Government.[122] A few days later Russell again attacked the Government, moving, "that it was the opinion of this House that no measure upon the subject of tithes in Ireland could lead to a satisfactory and final adjustment, which did not embody the principle of appropriation."[123] This motion which was also carried, really condemned Lord Hardinge's Bill and brought about a division on a vital Government policy.[124] Peel had no alternative but to resign, which he did on April 8. A liberal administration under the premiership of Lord Melbourne, with Lord John Russell as leader of the House of Commons, took its place. The Earl of Mulgrave became Lord Lieutenant of Ireland; Lord Plunket was appointed Lord Chancellor, Viscount Morpeth, Chief Secretary, and Mr. Thomas Drummond as Under-Secretary.[125]

O'Connell formed a close alliance with this new Government on the understanding that he was to give up his demand for "Repeal" and to support the Government in maintaining authority in Ireland, and that they in turn were

to introduce remedial measures in Ireland, particularly a tithe abolition bill with an appropriation clause. O'Connell's idea was to have a real union between the two countries which would give practical effect to the Catholic Relief Bill of 1829. This meant taking the Government of Ireland out of the hands of the Irish Church party. He warned the Government, however, that he would support them only as long as they helped Ireland. Having urged a "watch and wait policy," he returned to London to see how the Government would work for his country.[126]

Since the Irish Church question had forced Sir Robert Peel and the Duke of Wellington out of office, it became Lord Morpeth's duty, as Irish Secretary, to bring in a new measure. The importance of proposal made, the long discussions to which it led, and the information brought forward to sustain it, demand some attention.

Lord Morpeth on June 26, 1835, brought in his Tithe Bill, for the purpose of converting the tithes into a rent-charge upon the land, based on the same lines as Littleton's and Hardinge's Bills.[127] His measure planned to give the tithe owner less then seventy-five per cent of his legal due. The existing incumbents were, however, to be compensated for this reduction by receiving five per cent from the Perpetuity Purchase Fund. The preamble of this Bill referred to the various Acts passed for the establishment of compositions for tithes in Ireland, and stated that in August, 1835, a Commission would be issued for inquiring whether adequate provision had been made for religious instruction and for the general education of the people of Ireland. It also provided that as much of the money as had been advanced for the relief of the owner of the tithes by the Act of 1833, and had not been used for relief, was to pass into the hands of the Ecclesiastical Commission, in order to relieve the tithe owners, who had not received composition for the year 1834. The measure also provided for certain

changes in the Established Church, the details of which are not important in this connection. Clause 82 was the celebrated Appropriation plan. It provided that the Ecclesiastical Commissioners should keep a " Reserve Fund," and after certain expenses which were enumerated had been taken out, the residue was to be paid to persons authorized by the Lord Lieutenant to receive it, to be applied to the moral and religious instruction of all classes of people, without regard to religious persuasions.

Lord Morpeth in his speech in the House of Commons said that the only intelligible ground upon which an established religion could rest was that of its being the opinion of the majority, and no one could say that this was the position of the Irish Church. He showed that out of 2405 parishes in Ireland there were 157 parishes in which there were no Episcopal Protestants, 194 parishes in which there were less than ten, 198 in which there were less than twenty, 133 in which there were less than thirty, 107 in which there were less than forty, and 77 in which there were less than fifty. It was estimated that if the ministers in such parishes were suspended and neighboring incumbents be given charge of such at the rate of an extra £5 per parish, the surplus revenues of these parishes would amount to the sum of £58,000 per year. The Government proposed that this surplus should be devoted to the promotion of religious and moral education in Ireland, instead of being used for the maintenance of sinecurists and absentees. The Bill also proposed that in every parish where the endowment was over £300 a year and the number of Protestants over fifty, the Lord Lieutenant should have the power to make such deduction from the value of the cure as he thought proper.[128] The effect of the whole plan was that the landowners were to pay the tithe instead of the tenants and were to recover it in the form of rent. After an animated and well-fought contest in the House of Commons, the Bill

finally passed and was sent to the Lords where it came up for discussion, August 24, 1835.[129] The Opposition was led by Lord Ellenborough who stated that he and his friends would resist the Appropriation Clause but would lend their aid to the rest of the measure.[130] Acting upon this view of the case, the Conservatives divided the House repeatedly. Having been decidedly successful in every instance, Lord Melbourne declared that he did not propose to proceed with the measure after it had been thus mutilated.[131] Whereupon the Lords loudly proclaimed that they had saved the Church! Though the Bill was lost, new light had been thrown on the subject from various quarters. The commission appointed June 2, 1834, contributed some information, and many points, previously disputed, were now beyond the pale of future controversy. The true state of the Irish Church was placed before the public with correct details. The number of benefices and their value, the number of members of the Establishment compared with those of other churches, were set forth with authority. A mass of confusion and uncertainty by which all former discussion had been obscured was now cleared away.[132]

With the rejection of the Tithe Bill by the Lords, the tithe war once more showed its head. Early in October, 1835, Parson Croker of Limerick had seized some cattle for the payment of tithes and had put them up for sale. The entire city was placarded and no one dared to purchase the seized animals. The tithe war went on with unabated violence on both sides. The clergy, deprived of their income, appealed to the law, the people resisted with desperate spirit, blood was shed and deaths occurred. From November, 1835, to January, 1836, there was a comparative lull in the tithe war, since the clergy did not press their tithe claims, and the Lord Lieutenant, Lord Mulgrave, was unwilling to apply force. The real reason was, however, that Thomas Drummond, the Under-Secretary, objected to the old " rules

of the game," and had made a new departure. On several occasions, he refused to allow police aid in the collection of tithes, unless he felt absolutely sure that there might be a breach of the peace.[133] But in January, 1836, the clergy, reinforced by a powerful "Lay Association," under the leadership of some of the Orange chiefs, once more opened the attack. A month earlier, this organization had tried to recover tithes in the Court of Exchequer. More than six hundred Exchequer bills for sums varying from £10 to 1s. 9d. had been filed, and peasants notified by placarding these bills in places designated by the Courts and by sending copies through the mail. The peasants paid no attention to the bills and so the Lay Association obtained "Writs of Rebellion" against the tithe defaulters.[134] In a few months writs were issued against 2,000 persons. By this means, the Association hoped to compel the Irish Executive to give the clergy military aid to enforce their rights. But they misjudged the character of the men with whom they had to deal. Thomas Drummond had determined that British honor would no longer be tarnished by the employment of British arms in the work of maintaining the Irish tithe system. When the "Commissioner of Rebellion" proceeded with his writs to seize the goods of some of the tithe defaulters, the police refused to act under his instructions, since they had no orders from Dublin Castle.[135] The Orange men were furious, and appealed to the House of Lords. While these appeals were pending, Mr. Sheil, against whom a writ had been issued, brought up the question in the House of Commons, February, 1836, but the debate led to no results.[136] The Lay Association by issuing writs, pushed their work vigorously but most of their efforts were unsuccessful.

This was the condition of affairs, April 25, 1836, when Lord Morpeth for the second time introduced a Tithe Bill. He admitted that Ireland presented a melancholy prospect.

Looking at the condition of the clergy, of the proprietary and of the peasantry, he said it was quite plain that some alteration in the tithe system should be made and a permanent settlement completed. He then proceeded to explain the main features of the Bill, which were commutation of the tithes in Ireland into a rent-charge, payable by the first estate of inheritance, and further provision for the better regulation of ecclesiastical duties. He closed by saying that the principles of the measure which he submitted to the House might awaken some objections, but he was thoroughly convinced that no scheme, not having objectionable features, could ever be framed. He feared the dangers to be encountered in the settlement of this question would fall short of two opposite extremes—that of keeping up the Church in its present state, or that of suppressing the Church altogether and giving concurrent endowment to all the other churches. He warned the House that if they repeated their experiment of adjusting and regulating the Established Church without bringing their efforts to any particular result, "the time would come when they would discover that they were pressing on a lifeless corpse." [137]

Lord Stanley agreed that the House ought to make some final settlement of the Irish Church question, which he was convinced was an injustice to a majority of the Irish people. But he thought it was incumbent upon the Legislature to assert the right to deal as it pleased with the surplus revenues of the Irish Church.[138]

After the order of the House to resolve itself into a Committee of the Whole on the Church and Tithes Bill, Mr. Sharman Crawford, member for Dundalk, moved the following: "That it is expedient that tithes and all composition for tithes in Ireland should cease and be forever extinguished, compensation being first made for all existing interests, whether lay or ecclesiastical; and that it is also expedient that measures should be adopted to render the

revenue of the Church lands more productive and more available for the support of the working clergy of the Establishment, and that all persons not in communion with the Established Church of Ireland should be relieved from all assessments for its support." Crawford said he was a member of the Established Church but that he advocated the extinction of the tithes with a view to the advancement of Protestant principles and because he felt that those principles had been retarded by the offensive position in which the Protestant Church had been placed by the tithe.[139] His motion was lost.[140] Then the appropriation clause was discussed and carried with great difficulty on July 4, 1836.[141] The Lords amended the Bill but the Commons refused the amendments.[142] Lord John Russell, however, not wishing to force a collision with the Lords, dropped the Bill. Melbourne's government in the second year of its trial had thus failed to obtain justice for Ireland. On August 20, Parliament was prorogued.[143]

O'Connell's position was now becoming difficult. He had lowered his "Repeal" flag on condition that the Government would do something about the tithes in Ireland. He felt that the Government had failed to keep their promise. O'Connell therefore toured England, making speeches that Lord Melbourne's Government had done their best, but that the House of Lords had blocked every move, and that what was needed was a reform of the Lords. He then returned to Ireland, and in August, 1836, announced his determination to continue to stand by the Government.[144] While he was thus trying to bring about a reconciliation between England and Ireland and trying to make the Union "real," he was the subject of many attacks by the *Times*.[145] In the meantime some of his friends also were giving him trouble by trying to push the total abolition of the tithes. To this O'Connell objected, believing that it would only hurt the Government and give the Tories a chance to raise the cry that nothing would satisfy the Irish.[146]

Parliament met again on January 31, 1837. On May 1, Lord Morpeth introduced his third Bill—the fifth measure within three years—for the settlement of the tithes in Ireland. Since the whole plan, he said, had been laid bare to the House before, he could adorn it with little novelty. He proposed again that the fixed amount of the tithe rent-charge be fixed at seventy-five per cent of the tithes; that this was to be levied as a rent-charge on the land, and should be collected from the landower by the clergy and not by Government officials. There was no appropriation clause. Instead of such a clause, ten per cent of all the ecclesiastical revenue in Ireland was to be applied for educational purposes, according to existing laws, by which "every beneficed clergyman was bound to teach, or cause to be taught, an English school."[147] This Bill passed the second reading, but on June 10, King William IV died, and on July 17, Parliament was dissolved.[148] This put an end to the Bill. Nothing effectual was done in the matter of tithes until 1838.

In view of this failure of the Government to pass a tithe bill, O'Connell on June 28, issued a manifesto from London, calling on the Irish people to rally to the Ministry for a little longer, as he was determined to give the Union a fair trial, and to ascertain whether Ireland could be justly governed by an Imperial Legislature. The alternative was a "real union, or no union at all." The next month, O'Connell began a vigorous electioneering campaign and the Irish once more followed his lead. The Ministry as a result controlled a majority vote of thirty-four.[149]

Lord Russell's resolutions and Tithe Bill

Following the elections, Parliament met November 15, 1837, but the state of public affairs was such, that the question of Irish tithes could not be brought up before the Christmas recess. On March 27, 1838, Lord John Russell read the resolutions, which had been proposed by the House in

committee of the Whole on the Temporalities of the Church of Ireland.[150] He desired that members of the House might study them before May 14, when the matter would be brought before the House for their consideration. The resolutions which he submitted with numbers 7 and 9 omitted, were as follows:

1. "That it is the opinion of this Committee, that Tithe Composition in Ireland should become commuted into a rent-charge at the rate of 7/10 of their amount, to be charged on the owner of the first estate of inheritance.

2. That it is the opinion of this Committee, that on the expiration of existing interests, so much of such rent-charge as shall be payable in lieu of Ecclesiastical Tithes, should be purchased by the State, at the rate of sixteen years' purchase of the original Tithe Composition.

3. That it is the opinion of this Committee, that the Ecclesiastical Commission for Ireland should be empowered, with the consent of the Incumbents, to demand from the State, the purchase at the same rate of any other portion of Ecclesiastical Title Composition or Rent-Charge, not exceeding 1/10 of the whole amount in any year.

4. That it is the opinion of the Committee, that until such a rent-charge shall be purchased or redeemed, the amount of the Ecclesiastical Rent-Charge and Ministers' money should be paid to the Incumbents from the Consolidated Fund.

5. That it is the opinion of this Committee, that the arrangements of such payments, and the investment of the purchase monies paid by the State for Ecclesiastical Rent-Charge should be intrusted to the Ecclesiastical Commission for Ireland.

6. That it is the opinion of this Committee, that the Rent-Charges for Ecclesiastical Tithes should be appro-

priated by law to certain local changes now defrayed out of the Consolidated Fund, and to Education; the surplus to form part of the Consolidated Fund. . . .

8. That it is the opinion of this Committee, that further provision should be made by law for the regulation of Ecclesiastical Duties, and the better distribution of Ecclesiastical Revenues in Ireland. . . .

10. That it is the opinion of this Committee, that the Rent-Charges for Lay Tithes should be collected by the Tithe owner, and that facilities be afforded for the redemption upon mutual agreement between the parties."

On May 14, 1838, the House resolved itself into a Committee of the Whole, to take into consideration these resolutions respecting the Irish Church tithes. Lord Russell, in addressing the House, said that he hoped the Resolutions would be favorably received, but that there was considerable latitude for offering suggestions and amendments. He reminded the House that in considering the Church question, one had to consider the rights of an Established Church. To him, Warburton's opinion of the union of Church and State was best. Warburton, he said, stated that there were benefits on both sides, resulting from a union of Church and State. That the benefits to the Church were a public endowment for its ministers, a share in the legislation of the Empire, and a share in civil jurisdiction. The Church, on the other hand, gave a sanction to morality, and enforced the precepts of religion, which was a great aid to the State. Comparing this idea with the condition of the Church in Ireland, Lord Russell said one would find that the Irish Church did not aid the State at all because it had not enforced the doctrines of morality, however well-inclined its ministers may have been. As a proof of this, he stated, that the census of 1834 put the population of Ireland in round numbers to be about 8,000,000; of this number 6,-

500,000 were Roman Catholics, 650,000 were Presbyterians, and 852,000 were members of the Established Church. The greater part of the last group lived in four ecclesiastical provinces of Ireland, namely, Armagh, Cashel, Derry and Tuam, yet this minority group were distinctly favored in the matter of endowments. Besides, there were forty-one benefices without a single Protestant and ninety-nine with only from one to twenty. If these statistics were correct, Lord Russell was convinced that it was impossible for the Established Ministers to spread their religion.[151]

Continuing his remarks, he felt that there were other grounds on which the Establishment ought to be supported, the principal one being the vast amount of property which the Irish Church held; also, that a large number of its members were professional men, and an overthrow of the Church would place them in a bad position. A third reason was that disestablishment would involve a breach of the Act of Union. At the same time he was well aware of the fact that such reasoning would not appeal to the Irish people, and for this reason he submitted the foregoing Resolutions to the House. He went on to explain the Resolutions a little more fully. The money received in the redemption of rent-charge was to be invested in land, or otherwise, as the Irish Ecclesiastical Commissioners should determine; and the rent-charges themselves, when purchased, would go toward a fund out of which certain sums would be payable for purely Irish purposes of police and education, and the surplus, if any, to charitable purposes. The result, he explained, was that the tithes would be diminished by twenty-five per cent, and changed into a rent-charge, and the payment transferred from the tenants to the landlords. The Episcopal ministers as a body, therefore, would be placed in a more desirable position. But on the other hand the landlords might recoup themselves by raising the rents.[152]

He also called the attention of the House to the manner in

which the Catholic Emancipation Bill and the Municipal Corporation Bill had been carried out in Ireland. Both, he said, had been passed, and then they became dead letters on the Statute Book. He closed his address by saying: "You can no longer keep the people of Ireland subject to your sway, as if they were a low, a vile and an alien race." [153]

Lord Russell's motion to consider the Resolutions regarding tithes in Ireland was met by an amendment by Sir John Ackland, who proposed that the Appropriation Clause of 1835 be added. There followed a lively debate in which O'Connell made one of his best speeches. In concluding this speech he alluded to the subject of Union: "We want equality with you and you will not let us have it. . . . We ought to have the same franchise which you enjoy. We were entitled to it by the Union. Why not give us equality of civil rights? Political Protestantism will not let us have them. England and Scotland have Municipal Reform, but Ireland has not. Why? Your political Protestantism again. How wisely you preach Protestantism in Ireland! You make it the pretext for depriving us of every species of equality with yourselves, and then, having rendered it odious, you send forth your missionaries to preach it among the people. It is despotism . . . and yet you proclaim it a Union, and Legislative Union between subjects of the same realm. We sit here as representatives of the people, and as a representative of the Irish people I call on you to remember that your Union is one of parchment." [154]

Sir Robert Peel answered this speech ineffectively. His whole argument amounted to the statement that if the Union were to be maintained, it was necessary and essential to preserve the Irish Establishment, whose preservation was plainly stipulated for by the Articles of Union. He closed his speech by saying that he would never have favored alienating the funds of the Church from strictly ecclesiastical purposes, because he knew very well that this would not

satisfy the Catholics of Ireland, and at the same time it would only undermine the Protestant Church.[155] A few remarks were made condeming the Irish Church as an obstacle to peace in Ireland. On May 15, 1838, the House rejected Lord Ackland's amendment by a narrow majority.[156] After this division, Lord Russell thought it necessary to yield further to the Tories, and on May 18 he announced that the Government would be content with the introduction of a Bill for the mere conversion of tithes into a rent-charge, at the rate of seventy-five per cent on the compositions then existing.[157] On July 26, such a Bill was carried by a majority of 118.[158] In the House of Lords, little interest was manifested in this Bill. Only two voices were raised against it. Lord Brougham protested because the Appropriation Clause was omitted; Lord Clancarty because the Church had to be abandoned "to conciliate refractory tithe payers." On August 15, 1838, the Act received Royal assent, and the Tithe Commutation Act became law.[159]

This ended the tithe war. A measure almost the same in principle and detail as that introduced by Sir Robert Peel in 1835 and defeated by Lord John Russell and O'Connell, was introduced in 1838 by Russell as the Whig Leader, accepted by O'Connell and carried into law. Thus the amount of tithes had been reduced, and the burden of payment shifted from tenants to landlords. But the great mistake was not to have abolished them entirely.

The Established Church was more effectively secured in its revenues, but the tithe was really still drawn from the whole people, since the landlords were only the proctors, and not the actual payers of the tithe. The landlords now felt themselves justified in raising rents. This simply meant that the peasantry would not be brought in direct conflict with the clergy any longer. The anomaly of a church of the minority still existed. In several towns of Ireland, a tax known as "ministers' money," was still levied for the

support of the Protestant churches, even after the Act of 1838 had been passed. The total amount was variously estimated, but it was approximately £12,500. It was forced under the penalty of disfranchisement, and as late as 1850, in the Parishes of St. Michael and St. Johns in Dublin, a priest was seized for non-payment of this tax.[160] It was not until 1854, after a hard struggle in the House of Commons, that " ministers' money " was abolished.[161]

There is no doubt that all of these tithe measures as they came into operation tended to strengthen the Established Church in Ireland. A much greater part of the land was owned by its members, and the tithe rent-charge fell on them. The clergy of the Irish Church were, henceforth, only in a very small degree supported by a population not identified with their Church. In addition the expenses of the buildings and of providing requisites for divine service and the provision for incumbents were defrayed from ecclesiastical property, and not as before, from taxation affecting Roman Catholics and Protestant Dissenters. Yet public opinion had turned far in the scale against the Established Church.

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10. Young, *op. cit.*, vol. 1, p. 110.

11. Grattan, *Memoirs,* vol. 1, pp. 44, 45; O'Brien, Geo., *op. cit.*, pp. 142–144.

12. 7 Geo. III c. 21.

13. Lecky, *History of Ireland,* vol. 2, p. 5; Young, *op. cit.*, vol. 2, pp. 186, 187.

14. O'Brien, Geo., *op. cit.*, p. 145; Bellew, Richard, *Thoughts and Suggestions for Improving the Condition of the Irish Peasantry, passim.*

15. O'Brien, R. Barry, *Fifty Years,* vol. 1, p. 369.

16. *Second Report From the Select Committee on Tithes in Ireland,* June 4, 1832, Dr. Henry Montgomery's evidence, pp. 429–451.

17. O'Brien, R. Barry, *op. cit.*, vol. 1, p. 370.

18. See Chapter. I.

19. Lewis, George Cornwall, *Local Disturbances in Ireland,* p. 23; O'Brien, Geo., *op. cit.*, p. 150; Lecky, *op. cit.*, vol. 2, pp. 20–22.

20. Killen, *Ecclesiastical History,* vol. 2, pp. 380, 381; MacCaffrey, *op. cit.*, vol. 2, p. 177.

21. Grattan, *op. cit.*, vol. 2, pp. 25, 82, 163.

22. 4 Geo. IV c. 99.

23. Hansard, T. C., ed., *The Parliamentary Debates,* New Series, vol. 8: 89, 99. Feb. 10, 1823. *The Parliamentary Debates* are hereafter referred to as *Hansard.*

24. *Ibid.*, 91, 1135. Feb. 11 and Apr. 21, 1823.

25. *Ibid.*, vol. 9: 1071, 1072. June 19, 1823.

26. *Ibid.*, 1489, 1490. July 9, 1823.

27. *Ibid.*, vol. 11: 1106, 1108, 1109, 1111, 1113, 1116, 1119. June 10, 1824.

28. *Ibid.*, 1164, 1165. June 10, 1824.

29. *Ibid.*, 1165.

30. Fitzpatrick, *op. cit.*, vol. 2, p. 408.

31. Craik, G. L., *The Pictorial History of England,* vol. 7, p. 391.

32. Killen, *op. cit.*, vol. 2, p. 458.

33. Fitzpatrick, *op. cit.*, vol. 2, pp. 410–414. Dr. Doyle's evidence before Mr. Stanley's Committee.

34. Craik, *op. cit.*, p. 390.

35. Fitzpatrick, W. J., *A Full and Authentic Report of the Tithe Debates,* p. 176.

36. *Second Report From the Secret Committee on Tithes in Ireland.* June 4, 1832. Evidence of Mr. John Dunn, Dr. James Doyle and Dr. Theophilus Blakely, pp. 265–272, 305–341, 349–364.

37. O'Brien, R. Barry, *op. cit.*, vol. 1, p. 377.

38. *First Report From the Select Committee on Tithes in Ireland.* Feb. 18, 1832. Appendix, No. 49, pp. 207, 208.

39. MacCaffrey, *op. cit.*, vol. 2, p. 180.

40. Godkin, James, *Ireland and Her Churches,* pp. 135, 136; O'Connor,

History of Ireland, vol. 1, pp. 224, 225; Killen, *op. cit.,* vol. 2, pp. 458, 459.

41. *Hansard,* 3d ser., vol. 9: 231. Dec. 15, 1831.

42. *Ibid.,* vol. 11: 1234, 1235. Apr. 2, 1832.

43. *Ibid.,* 1244.

44. See Chapter I.

45. Mitchell, John, *History of Ireland from the Treaty of Limerick to the Present Time,* p. 515.

46. *Hansard,* 3d ser., vol. 14: 1399. Aug. 16, 1832; 2–3 Wm. IV c. 119.

47. Godkin, *op. cit.,* p. 138.

48. O'Brien, R. Barry, *op. cit.,* vol. 1, pp. 398–402.

49. *Ibid.,* 402–409; Dunlap, Robert, *Daniel O'Connell and the Revival of National Life in Ireland,* pp. 266–269.

50. O'Brien, R. Barry, *op. cit.,* vol. 1, pp. 412, 413. By degrees all these secret organizations were absorbed by the Ribbon Society which had branches far and wide, not only in Ireland but in Great Britain as well. O'Brien, R. Barry, *Life and Letters of Thomas Drummond, Undersecretary in Ireland,* 1835–40, p. 94.

51. *Hansard,* 3d ser., vol. 15: 88–89.

52. *Ibid.,* 173–178. Feb. 5, 1833.

53. *Ibid.,* 183–196.

54. *Ibid.,* 198–201; 204, 205, 238–244, 374–386, 458. Feb. 5, 7 and 8, 1833.

55. *Ibid.,* 524–540, 543–549, 550. Feb. 11 and 12, 1833.

56. *Church cess* was a particular tax imposed for maintaining churches and for meeting the expenses of religious service. In Ireland, this rate was under the exclusive management of a Protestant vestry, although nearly all was paid by a Catholic population. It was an uncertain tax, which varied according to the purposes for which it was applied. *Annual Register,* vol. 75, 1833, p. 87.

57. *Hansard,* 3d ser., vol. 15: 561–577. Feb. 12, 1833. Cashel became subject to the Archbishop of Dublin. The Province of Tuam was added to the Archbishopric of Armagh. The following bishoprics were also suppressed: Dromore was added to Down and Connor; Raphoe was added to Derry; Clogher was added to Armagh; Elphin was added to Kilmore; Killala and Achonry were added to Tuam; Clonfert and Kilmacdaugh were added to Killala and Kilferona; Kildare was added to Dublin and Glendalough; Ossory was added to Ferns and Leighlin; Waterford was added to Cashel and Emly; Cork and Ross were added to Cloyne. *Ibid.,* 573.

58. See Chapter III.

59. *Hansard,* 3d ser., vol. 15: 561–577. Feb. 12, 1833.

60. *Ibid.,* 718–743.

61. See Chapter I.

62. *Hansard,* 3d ser., vol. 15: 1227–1230, 1231–1239, 1250–1291. Feb. 27,

1833; vol. 16: 405–414. Mar. 8, 1833.

63. *Ibid.*, vol. 16: 646, 666. Mar. 14 and 15, 1833.

64. *Ibid.*, vol. 17: 36. Apr. 2, 1833.

65. *Ibid.*, vol. 19: 302. July 9, 1833; 3–4 Wm. IV c. 37.

66. *Ibid.*, vol. 15: 577, 578. Feb. 12, 1833.

67. *Ibid.*, 1197, 1198. Feb. 27, 1833.

68. *Ibid.*, vol. 16: 1360–1364. Apr. 1, 1833.

69. *Ibid.*, 1380–1383.

70. *Ibid.*, 1387.

71. *Ibid.*, 1406.

72. *Ibid.*, vol. 19: 1219, 1220. July 30, 1833.

73. *Ibid.*, 305, 306. July 9, 1833.

74. *Ibid.*, 550, 551, 718. July 11 and 17, 1833.

75. *Ibid.*, 725, 728.

76. *Ibid.*, 809–855. July 18, 1833.

77. Skeats, Herbert S., *An Historical Statistical Review of the Irish Church,* pp. 17–19.

78. O'Brien, R. Barry, *Fifty Years,* vol. 1, pp. 448–454.

79. *Hansard,* 3d ser., vol. 21: 600, 601. Feb. 20, 1834; O'Brien, R. Barry, *Fifty Years,* vol. 1, p. 455.

80. Godkin, *op. cit.,* p. 139

81. *Hansard,* 3d ser., vol. 20: 892. Aug. 28, 1834.

82. *Ibid.*, vol. 21: 1–5. Feb. 4, 1834.

83. *Ibid.*, vol. 21: 572–578. Feb. 20, 1834.

84. *Ibid.*, 578–581.

85. *Ibid.*, 592–598, 620, 621, 628.

86. *Ibid.*, vol. 23: 677, 678. May 6, 1834.

87. *Ibid.*, 426–430, 444, 446, 622–25. May 2 and 6, 1834.

88. *Ibid.*, 626–631.

89. *Ibid.*, 1396. May 27, 1834.

90. *Ibid.*, vol. 24: 10–12. June 2, 1834.

91. *Ibid.*, 11, 12.

92. *Ibid.*, 47.

93. *Ibid.*, 31, 51–59, 81–83.

94. *Ibid.*, 24, 59, 70, 72, 75, 83, 86.

95. Le Marchant, Sir Denis, *Memoir of John Charles Viscount Althorp, Third Earl Spencer,* pp. 504, 505.

96. Torrens, W. M., *Memoirs of the Rt. Hon. William, Second Viscount Melbourne,* vol. 2, p. 3; Littleton, Rt. Hon. Edward John, First Lord Hatherton, *Memoir and Correspondence relating to Political Occurrences in June and July 1834,* ed. Henry Reeve, pp. 52–56.

97. The martial clause and the clause prohibiting public meetings being omitted. Hansard, 3d ser., vol. 25: 553. July 24, 1834.

98. Le Marchant, *op. cit.,* pp. 518, 519.

99. *Hansard,* 3d ser., vol. 25: 713. July 29, 1834.

100. The Perpetuity Purchase Fund was the fund available from the reduction of Irish bishoprics.

101. *Hansard,* 3d ser., vol. 25: 713–21.

102. *Ibid.,* 747.

103. On May 22, 1834, O'Connell wrote the following to Mr. P. V. Fitzpatrick: "My tithe plan is shaking the Cabinet. But there is so much rascality toward Ireland that they will make up between themselves in order to combine against us." Fitzpatrick, W. J., ed., *Correspondence of Daniel O'Connell, The Liberator,* vol. 1, pp. 437, 438.

104. *Hansard,* 3d ser., vol. 25: 771, 1204. July 30 and Aug. 11, 1834.

105. *Ibid.,* 1150–1156. Aug. 11, 1834. The clergy would not be apt to consent to a measure by which it was proposed to reimburse the people of England by drawing on Church funds.

106. *Ibid.,* 1148–1150, 1157–1162.

107. *Ibid.,* 1172–1179, 1196–1199.

108. O'Brien, R. Barry, *Fifty Years,* vol. 1, p. 478.

109. Parker, Chas. S., ed., *Sir Robert Peel From His Private Correspondence,* vol. 2, pp. 251, 252; Le Marchant, *op. cit.,* p. 524.

110. O'Brien, R. Barry, *Fifty Years,* vol. 1, pp. 480–484.

111. Mitchell, *op. cit.,* pp. 518, 519.

112. *Hansard,* 3d ser., vol. 27: 13–22. Mar. 20, 1835.

113. *Ibid.,* 22–24, 52–56, 39–46, 362–384. Mar. 20 and 30, 1835.

114. *Ibid.,* 466–478. Mar. 31, 1835.

115. *Ibid.,* 716–728. April 2, 1835.

116. *Ibid.,* 728–760. April 2, 1835.

117. *Ibid.,* 419–440. Mar. 30, 1835.

118. *Ibid.,* 573–576. Apr. 1, 1835.

119. *Ibid.,* 765–770. Apr. 2, 1835.

120. *Ibid.,* 772.

121. *Ibid.,* 791. Apr. 3, 1835.

122. *Ibid.,* 861. Apr. 7, 1835.

123. *Ibid.,* 880.

124. *Ibid.,* 969. Apr. 7, 1835.

125. O'Brien, R. Barry, *Fifty Years,* Vol. 1, pp. 495, 496.

126. *Ibid.,* 492, 498.

127. *Hansard,* 3d ser., vol. 28: 1319–1344. June 26, 1835.

128. *Ibid.,* vol. 29, pp. 1011, 1021–1031. July 23, 1835.

129. *Ibid.,* 1067.

130. *Ibid.,* vol. 30: 877, 879, 883. Aug. 24, 1835.

131. *Ibid.,* 934.

132. Smyth, George Lewis, *Ireland Historical and Statistical,* vol. 3, p. 138. This information was taken by Mr. Smyth from an abstract, published in 1835 by Mr. Hamilton, one of the Ecclesiastical Inquiry Commissioners.

133. O'Brien, R. Barry, *Drummond,* pp. 201, 202.

134. An obsolete process by which the police force was placed at the disposal of the Commissioners of Rebellion, instead of in the hands of the Government. O'Brien, R. Barry, *Fifty Years,* vol. 1, p. 503.

135. *Ibid.,* p. 504.

136. *Hansard,* 3d ser., vol. 31: 565–581. Feb. 8, 1836.

137. *Hansard,* 3d ser., vol. 33: 204–221. Apr. 25, 1836.

138. *Ibid.,* 226.

139. *Ibid.,* vol. 34: 1139–1143. July 1, 1836.

140. *Ibid.,* 1149.

141. *Ibid.,* 1259, 1260.

142. *Ibid.,* vol. 35: 855–860. Aug. 2, 1836.

143. O'Brien, R. Barry, *Fifty Years,* vol. 1, p. 508.

144. *London Times,* Nov. 1835, Sept. 1836. This paper is hereafter referred to as *Times.*

145. Dunlap, *op. cit.,* p. 298.

146. O'Brien, R. Barry, *Fifty Years,* vol. 1, p. 514.

147. *Hansard,* 3d ser., vol. 38: pp. 408–421; 28 Henry VIII c. 21 and 7 Wm. III c. 4. s. 10.

148. *Hansard,* 3d ser., vol. 38: 1379. June 10, 1837. O'Brien, R. Barry, *Fifty Years,* vol. 1, p. 516.

149. Part of this success was due to the skill and sympathetic administration of Thomas Drummond. O'Brien, R. Barry, *Drummond,* p. 203; Dunlap, *op. cit.,* p. 315; Torrens, *op. cit.,* vol. 2, pp. 239, 240.

150. *Hansard,* 3d ser., vol. 41: 1317, 1318. Mar. 27, 1838.

151. *Ibid.,* vol. 42: 1174–1177. May 14, 1838.

152. *Ibid.,* 1176–1197.

153. *Ibid.,* 1198–1203. May 15, 1838.

154. *Ibid.,* 1313–1325.

155. *Ibid.,* 1325–1345.

156. *Ibid.,* 1353. May 15, 1838.

157. *Ibid.,* vol. 43: 1177. July 2, 1838.

158. *Ibid.,* vol. 44: 694.

159. *Ibid.,* 960, 1104–1112, 1294. Aug. 3, 9, 15, 1838.

160. MacCaffrey, *op. cit.,* vol. 2, p. 209.

161. 17–18 Vict. c. 11.

CHAPTER III

The Irish Church from 1800 to 1869
Its Clergy, Endowments and Membership

In order to understand what follows, one must go back to 1800. The Union of 1800 had no sooner taken place than public attention was directed to the anomalous state of the Irish Church. Thoughtful men in England, even more so than in Ireland, attacked the Irish Establishment, demanding that some grievances be removed. One great grievance against the Irish Church was the political and social ascendancy of its clergy, due largely to its enormous wealth and endowments. A second grievance was that the clergy of the Church of a small minority of the people were richly endowed while the clergy of the large majority were left destitute of aid from the State. The whole body of Roman Catholics in Ireland were more or less alienated from the Government, which they considered the author of their wrongs, and they could not but view with envy and ill-will the more favored Church of Ireland. It must be remembered, too, that the extent of this grievance should be measured by the psychological effect which it produced, not on Protestant Englishmen, but on Catholic Irishmen. The Irish Establishment, while it lasted, practically proclaimed that the Catholic faith was considered an enemy. "The Church of a small minority of the people," said John Bright in 1869, "as the State Church—in the midst of a Catholic nation—was the most flagrant violation of the principles of the Reformation that has taken place in Europe since the days of Luther." [1] Viewed from these standpoints, the Irish Church was a real source of discontent.

It is now in order to examine the condition of the Church prior to its disestablishment, especially its clergy, its endowments and its membership.

The clergy of the Church of Ireland

Turning first to the condition of the clergy, we find that from the twelfth century to the seventeenth they were little more learned than their congregations.[2] Few natives, whether of English or Irish descent, were really fitted for Church positions. Most of the sees within the Pale were filled with imported Englishmen, not always of the best character, for it was no easy matter to induce the better sort of English clergymen to consent to expatriation. Furthermore, within the Pale, English ministers, professing the reformed faith and wholly ignorant of the Irish language, were looked upon as intruders, with the consequence that their congregations in general refused to attend Church. It is not surprising, therefore, that many of the Irish people were driven into the arms of the begging friars, who preached the old faith in the native tongue, and fostered an undying hatred of the Anglicized Church of the Establishment.[3]

During Elizabeth's reign, the Church of Ireland presented a most humiliating spectacle. Many of the clergy, it is true, had changed the Mass-Book for the Prayer-Book, but in spirit and character they remained as they had been before. Ireland had, in fact, a set of time-serving ministers. They were ready to conform to whatever the State might dictate but were for the most part destitute of personal piety.[4] Many of them were adventurers from England, off-scourings of the Anglican Church of England, who had somehow contrived to get lucrative appointments in Ireland. Elizabeth founded Trinity College in 1591, and endowed it with land, for the purpose of educating young Irishmen for the ministry, but the desolating wars of her reign diverted attention from the Church. James I greatly increased the

endowments of this college and also caused the Bible and Liturgy to be translated into Irish. But unfortunately most of the parish clergy, being Englishmen, did not speak Irish, and so their flocks profited little from this reform.[5]

After the Plantation of Ulster had been established in the seventeenth century, a number of young Englishmen made their fortunes as clergymen in Ireland. Newly ordained youths would go to Ireland to serve as chaplains to the Lord Lieutenant and would often be quickly appointed to lucrative positions in the Irish Church, a deanery, or a bishopric. Some clergymen would lease out church lands and—like most of the English landowners—take large fines for renewal; or, by long leases, secure Crown lands at very low rents.[6]

Much information on the condition of the Church and the clergy during the seventeenth century is contained in letters written by Irish dignitaries to English prelates. In January, 1634, Strafford, the Lord Lieutenant, advised Archbishop Laud as follows on the state of the Irish Church: "An unlearned clergy which have not so much as the outward form of churchmen to cover themselves with, nor are their persons in any way reverenced; the churches are unbuilt; the parsonage and vicarage houses are utterly ruined; the people are untaught; the possessions of the Church to a great extent are in lay hands; the bishops aliening their principal houses and demesnes to their children or to strangers; the schools are ill-provided for and ill-governed; and the money raised for charitable uses is converted to private benefits." [7]

In the previous year, John Bramhall, Bishop of Derry and later Archbishop of Armagh, wrote to Archbishop Laud concerning the dilapidated and sordid churches, the poverty and ignorance of the ministers, the evils of pluralities and non-residence, and the alienation of church property.[8]

In the eighteenth century similar conditions prevailed. The bishops, in general, cared little for the feeling of the

natives and indiscriminately ordained candidates for orders. Many of these were non-resident, spending most of their time in London or Bath, but deriving from their Irish sinecures political influence, a good position in society, and a comfortable income. They drew their tithe-tributes in much the same way as the absentee landlords drew their rack-rent and like them, to save the difficulty and risk of collection, farmed them out to tithe proctors, who collected the tithes and made their profits by extracting the last penny from the unfortunate peasants. There were other conditions which contributed to the evil of non-residence. Many parishes had no glebe houses and often suitable houses were not to be found. A number of poor parishes were frequently united, and, of course, there could be a resident clergyman in only one of them. Furthermore, many parishes lay in remote districts where Englishmen were unwilling to live.[9]

In this century, as in the preceding one, a great many of the clergy of the Irish Church were Englishmen. This was true in the case of the Archbishops of both Dublin and Armagh. Jonathan Swift, who was Dean of St. Patrick's at Dublin from 1713 to 1745, and who was leader of the Anglo-Irish group for a number of years, severely criticized the preference given to Englishmen in appointments to great offices in Church and State in Ireland. In a letter to Lord Carteret, the Lord Lieutenant, July 3, 1725, he urged that the Irish clergy be chosen by the Irish Government. "It is a misfortune," he said, "to have bishops perpetually from England, as it quenches the spirit of emulation among us to excel in learning and the study of divinity; it also produces another great discouragement, for the English prelates usually draw after them colonies of sons, nephews, cousins, or old college companions, upon whom they bestow the best preferments in their gift; and the young men, sent into the the Church from the University here, have no better prospect than to be curates or small country vicars for life." [10]

The policy of showing preference to Englishmen for positions in the Irish Church was pursued steadily throughout the eighteenth century and the early part of the nineteenth. Of forty bishops appointed in the reign of George III, twenty-two were Englishmen, as were all the primates appointed during the eighteenth century. Of the eighteen archbishops of Dublin and Cashel, selected during the same time, ten were Englishmen.[11] If these men had been a fair selection from the ranks of the English Church, there would have been less cause for complaint, but it was notorious that this was not the case. As a result Ireland sank deeper and deeper into an abyss of ignorance.[12]

There were doubtless some prelates in the Irish Church at this time who might well have been compared with Bishop George Berkeley, who for nearly twenty years (1734–53) labored zealously in the diocese of Cloyne. Many of the clergy, too, had non-ecclesiastical interests. Primate John Hoadley, who became Archbishop of Armagh in 1742, was famous in Ireland as an agriculturalist, and his successor, who followed in 1747, was an able Secretary of State.[13]

Matters were at their worst, so far as the Irish Church is concerned, when a series of outbreaks culminated in the rebellion of 1798. In this upheaval a number of the leaders were either clergy or members of the Irish Church. The Government now learned that it was impossible to uphold a church with exceptional privileges by a system of cruel persecutions, and the question of a Union with Great Britain was brought up in the Irish Parliament.[14] The higher clergy of the Church of Ireland were not only Englishmen, but many of them were political appointees. From the viewpoint of the Government, efficiency of the Church was secondary to the necessity of maintaining English interests. From the period of the Puritan Revolution the appointments, especially to the primacy, were almost always political.[15] It was natural that the established Church, representing as

it did only a small fraction of the Irish people, should be made an instrument of Government. A large number of the temporal peers of Ireland during the early eighteenth century were habitual absentees, and the spiritual peers, twenty-two in number, constituted the working majority of the House of Lords. In fact, from 1724 to 1764, the chief direction of affairs in the House of Lords was in the hands of three Irish primates of Armagh; Boulter, Hoadly and Stone. Most of the bishops, not being overburdened with ecclesiastical work, attended Parliament regularly. They were distinctly expected to vote for government policies, and they rarely disappointed this expectation. An Irish bishopric was frequently found a convenient means of providing for a Government supporter, who could not so easily be rewarded in England.[16]

Frederick Augustus Hervey, Earl of Bristol and Bishop of Derry (1768–1803), who for a period of thirty-five years held one of the most richly endowed bishoprics in Ireland, is a striking illustration of the system of promotion for political purposes. He was ill-qualified for his office. His manners and his ideals were entirely foreign to the clerical profession. Possessing an ample private fortune, in addition to the large revenues of his bishopric, and having a higher rank as a lay peer than as a spiritual peer, he was discontented without political power. His activities in connection with the Convention of "Volunteers" in 1783 is evidence of his desire to participate in political affairs.[17]

Another example of a political appointment was that of George Stone, Archbishop of Armagh for eighteen years (1747–1765). Born and educated an Englishman he had agreeable manners, conversational powers and business ability, and he was chosen in order that he might assist the Government in the House of Lords and in the conduct of affairs generally. He was ambitious, energetic and devoted his whole attention to public affairs. "Look at me,"

he is reported to have said to an English physican whom he consulted when he became ill, "not as an ordinary clergyman, but as a man who injured his constitution sitting up late and rising early to do the business of the Government." [18]

Hallam's description of the Government of Ireland during the eighteenth century can be applied to the condition of the clergy and the Church. "It seems," he says, "as if the connection of the two islands, and the whole system of constitutional laws in the lesser, subsisted only for the sake of securing the privileges and emoluments of a small number of Ecclesiastics, frequently strangers, who performed no duties, and rendered no sort of return for their enormous monopoly." [19]

As has already been pointed out, [20] previous to the formation of the Union there was no circumstance more injurious to the interests of the Church than the way in which the patronage of the Crown was exercised. After the Union a beneficial change was perceived. The small number of bishops now entitled to sit in the House of Lords rendered their support of less consequence to political parties, and as a result, political motives were less regarded by the ministers in advising clerical appointments. Most of the prelates during the interval between the Union and the Disestablishment were deserving of their positions. Many were scholars, distinguished for literary or scientific pursuits.[21]

In spite of the fact that a great majority of the higher Irish clergy in the nineteenth century were no longer political appointees, one must not overlook the fact that the abuses of Church patronage continued in Ireland. The higher clergy were still able to make handsome provisions for their sons, their sons-in-law, their brothers and their nephews, by securing for them the most lucrative benefices, especially ones in which ecclesiastical duties could be discharged by curates at the parliamentary stipend of £75. To many of

these benefices were attached glebe lands. In this way, by blood as well as by religious conviction and interest, the vast majority of the landlord class in Ireland were closely associated with the Established Church. It is difficult to realize the extent to which this practice of patronage permeated the Establishment. There were whole families fattening on the revenues of the Church. The history of Lord John George Beresford, Archbishop of Armagh from 1820 to 1867, is a fair illustration of the way in which clerical fortunes were built up in families. When he left Eton, his father's cousin, George Beresford, was Bishop of Kildare at a salary of £6,000 per year, and one of his uncles was Archbishop of Tuam at a salary of £9,000. With these advantages, the young man stepped at once from deacon's orders to a deanery, that of Clogher, at £700 a year. He remained here seven years, and was then promoted to the bishopric of Cork at £5,000. Two years later he was made Bishop of Raphoe at £6,000 a year. And again at the end of two years he was advanced to the diocese of Clogher at £11,000 a year. Here he remained till the Archbishopric of Dublin became vacant, to which he was appointed at £15,000 a year. Here, again, he remained two years, when he was advanced to the Archbishopric of Armagh at a salary of £18,000 a year. This position he held for more than forty years. During his sixty-four years of clerical service, he himself received from the Church £887,900, while the receipts of his family amounted to three or four million pounds.[22] He was, however, most benevolent, and was a generous benefactor of the religious, charitable and educational institutions connected with his diocese. He aided poor curates and even maintained some of them at his own expense. He had been from the first opposed to a national system of education, but toward the close of his life, seeing that many of the schools in his diocese were languishing for want of support, he changed his opinion.[23]

One should not overlook the fact that some laymen derived much wealth from Church lands. A Royal Commission reported, in 1868, that the Marquis of Wellesley, a former Viceroy of Ireland, had enriched his family by means of Church property. He had 5,736 acres of episcopal land in Derry. For this vast territory, he paid the Church an annual rental of £69, 12s. 1-1/2d. which, in addition to a small fine, made a total of about 2s. 7d. an acre. In the diocese of Kilmore, there was found a descendant of a Welsh clergyman who had served in Ireland and who held 5,938 acres of episcopal lands. For this large estate he paid only about 2s. 5d. per acre. In the diocese of Meath, which contained some of the richest land in Ireland, the Balfour family held 8,273 acres at a cost of about 11d. per acre. Still another case mentioned in a debate in the House, was that of the Earl of Normanton, who held a tract of 8,510 acres so rich that it was called "The Golden Vale of Ireland," and which would on the average sell for £2 an acre, and for this he paid a rental of 4s. 4d.[24]

Not only were the clergy of the Irish Church Englishmen, appointed often for political reasons, and concerned in enriching their families by means of the Church lands, but they were frequently members of aristocratic families. From a record of families representing the clergy in Ireland, we find that in a list of 127 bishops, one-third of the whole number had estates and founded families, many of whom entered the ranks of the nobility,—the great object of many an Irish Churchman's ambition![25] When we consider how these families have intermarried from time to time among others of the nobility and landed gentry, and how extensive have become their relations with the ruling families of England and Scotland, we begin to understand the real nature of the Irish Church problem, and why Lord Grey and Lord Melbourne were paralyzed when they had to grapple with the question, complicated as it was with the land situation.

When McCullagh Torrens, in March, 1868, was discussing in the House of Commons the condition of the Irish Church, he pointed out that since the time when George Browne was sent to Ireland in 1534 to be archbishop, twenty-three archbishops had succeeded him there. Of these, sixteen had been Englishmen and but seven Irishmen. In the same period, twenty-two prelates had filled the Primacy, sixteen of whom were English and six Irish. And yet they pretended to call the Church of Ireland a national Church! It seemed to him that the representative character of an Establishment was entirely lacking in Ireland. The Irish Church had been used for generations as a sort of "draw farm" upon which to fatten needy members of the governing families or their dependents. To prove this point, he stated that the Primacy in four reigns had been held by such men as Lord Rokely, Lord Bute and Lord Beresford. As to the condition of the Episcopal bench in 1868, he pointed out that of the two archbishops and ten bishops who then held ecclesiastical positions in Ireland, both the archbishops and four of the bishops were either peers or immediate relatives of noblemen.[26]

In the early part of the nineteenth century, as in the eighteenth, there was little to distinguish the clergy of the Irish Church from the laity. Socially, they were not a separate order, but shared the opinions and sentiments of the ruling class. Many of them did little spiritual work, neglected the Church, were careless about education, and lived very much as did the squires and lesser nobility to whom they preached and administered the sacrament on Sunday. Pluralism and non-residence were still wide-spread. But the clergy saw no need for change. Parishioners went to Church, outward respect was shown to the clergy, tithes and church rates were paid, but it was asserted that there was little vital religion. The Established Church in Ireland therefore did not prosper during the early part of the nineteenth century as an in-

strument for converting the population. But after the thirties there was a marked improvement in the clergy. No body of men in the whole Empire had been doing their duty more loyally and admirably than the clergymen of the Irish Church just before its disestablishment. The peasantry, even the Catholic peasantry, loved and trusted many of them.[27] But unfortunately, these excellent men who ministered in the Established Church had inherited an evil legacy, and innocent as they themselves were, they could not efface the memory of the past from the minds of the Irish people. To do this would require signal self-sacrifice, in voluntarily relinquishing the State privileges. Thus, unfortunately, when for the first time Ireland had a zealous active clergy they soon found themselves involved in the tithe wars, and it was useless to attempt religious work.[28] The condition of the bishoprics of Ireland during the nineteenth century is well described by Mr. Godkin, who made a personal visitation in 1867. It was quite clear from his report that many anomalies and abuses still survived from the eighteenth century.[29]

During the thirties, the English reformers directed their attacks against the privileges of propertied classes. The theories which they advocated had grown with marvelous rapidity and long before 1830 it was clear that the reign of ancient Toryism was nearing its end. When the political monopoly of the landed gentry was destroyed by the Reform Bill of 1832, the destruction of ecclesiastical monopoly was sure to follow.

The Endowments of the Church of Ireland.

The endowments of the Church of Ireland originally consisted of private monetary gifts, of tithe rent-charge, first fruits, church cess and bequests of land of all kinds—episcopal lands, glebe lands and chapter lands, a large part of which had been alienated from all ecclesiastical use, or

let out for rents which were utterly disproportionate to their value, or converted into perpetual leases. The Church in Ireland had received grants of land from Anglo-Norman and Irish nobles during the three centuries following the reign of Henry II. A large part of the cultivated land owned by the Church was gradually absorbed by the monasteries established by the Anglo-Norman settlers.[30] Before 1537 Henry VIII had suppressed nearly four hundred monasteries valued at £100,000,000 and yielding annual revenues of £320,000, and the tithes enjoyed by these monasteries, representing about one-half of all the tithes of Ireland, were handed over to him.[31] The King transferred most of these tithes, together with other monastic property, to corporate towns, Anglo-Irish chiefs, lords of the Pale and officers of the army. Pensions of various sorts were given to the heads of the suppressed houses. Some of the smaller houses became parish churches. But in most cases, there was nothing left with which to pay the clergy. In Queen Elizabeth's time we find that Archbishop Loftus was ordered to unite three or four livings in one, in order to put the annual income at £40 a year.[32]

The right of the Church of Ireland to these tithes and lands in Ireland was founded upon an Act of the Irish Parliament passed in 1537.[33] In effect, the Act may have handed over the property of the Roman Catholic Church to the Church of Ireland, but the Act did not actually provide for this. The enactment provided that land held by the Catholic clergy would not be confiscated providing the holders of benefices should conform to the Established Church. The result of this Act was that the incumbents of benefices necessarily had to be members of the Church of Ireland.[34] This same Parliament declared Henry VIII to be the Supreme Head of the Church of Ireland and that all revenues previously paid to the Pope should now be paid to the King.[35] This legislation was of the greatest consequence

to the Church of Ireland. It was followed by the submission of almost all the great lords and chieftains of Ireland, who in 1542, by an Act of the Irish Parliament, acknowledged Henry as their Sovereign, and utterly renounced the jurisdiction of the Pope.[36] The immediate reaction is seen in the good relations existing between the Crown and its Irish subjects as evidenced by many indentures entered into by Irish chiefs and the Crown. The more far-reaching effect came from the suppression of the monasteries, which, from the standpoint of endowments, was detrimental to the interests of the Church, especially in rural districts. The monasteries had absorbed a part of the tithes, and the monks had undertaken to perform spiritual duties in the parishes from which these tithes came. But when the monasteries were broken up, many of the parish churches were left unserved.[37]

Owing to misunderstandings as to the lands and rights of the Church, which prevailed for many years after the Reformation, it was found that when large grants had been made by the Crown to various lay proprietors, in many cases the ancient endowment of the bishoprics themselves had been granted unintentionally at the same time. As a result, the Church was left almost totally unendowed, though the sees themselves remained. By means of royal grants, some of these ecclesiastical lands were restored to the several bishoprics to which they formerly belonged.[38]

In 1611 James I sent Sir Arthur Chichester to Ireland as Lord Lieutenant. His efforts to enforce conformity brought on a revolt in the north, which resulted in the confiscation of vast estates which went to form part of the celebrated Plantation of Ulster.[39] When these confiscated lands of Ulster were being distributed by the Crown, the Established Church got an ample share. In fact, many of the clergy received splendid estates, varying in size from 50 to 900 acres.[40] But the Patent Rolls show that in Ulster,

for example, estate after estate was given to the Church upon condition that they should be inclosed, planted and built up.[41] When James I granted this land—said to be 111,000 acres—for the purpose of supporting the Protestant religion in Ulster, he did it at a time when the poverty of the Church was very great, but he did not assume the character of a donor. The royal instructions for the plantation of Longford and Leitrim, which were the same as those for restoring the bishoprics and endowments of the Church in Ulster, afford evidence that the King professed at least, " to restore and not to give " to the bishoprics, deans, chapters and dignitaries, such land, out of which, in former times, they had had their rents. Furthermore, commissioners were to inquire as to the lands which formerly belonged to the bishops and then His Majesty would authorize his officials to make a grant or grants thereof in his name to the bishops. The King also ordered that in future letters patent a reservation of the rights of the Church to lands and endowments should be stated. These returns were enrolled in the Chancery. They formed the basis of the so-called " grant," and set forth in detail the rights and possessions of the Church.[42]

Soon after his arrival in Ireland in 1633, Sir Thomas Wentworth, the Viceroy, served on a Royal Commission authorized to examine the state of the Irish Church. He found that among other things glebe lands and tithes had been recklessly alienated by fraudulent incumbents, and none but the most ignorant and profligate persons could be induced to take livings, most of which had been plundered of their endowments.[43] He immediately began work in earnest to improve the temporalities of the Church. Bishop Bramhall of Derry, who later became Primate, aided him, and in a short time by their united efforts, they succeeded in recovering much misappropriated property. They also bought up many of the tithes held by laymen and increased

the episcopal revenues, either by loans from the rich, or by voluntary contributions.[44] Gladstone, in 1869, was careful to explain that although Archbishop Bramhall sold his property in England, and bought for himself other property in Ireland, the latter never became a part of the property of the Irish Church. What he had done was to make use of the law to compel the Irish land-owners to yield the appropriations which they had acquired illegally. In this manner the Archbishop was enabled to appropriate large endowments for the use of the Church. He regained land valued at between £30,000 and £40,000.[45] Notwithstanding, however, the great exertions of Archbishop Bramhall, supported as they were by all the influence of the Irish Government, Dean Swift, in 1710 wrote: "In Ireland there is hardly a parish in ten that has any glebe, and the rest are small and scattered, excepting a very few; and these seldom have any houses. There are more impropriations in Ireland than in England, which added to the poverty of the country, makes the livings in Ireland very small and of uncertain value, so that five or six must be united to make a revenue of fifty pounds per annum." [46]

While the Viceroy was trying to improve the temporalities of the Church, the Irish Parliament which met in July, 1635, passed a number of measures dealing with the subject. One act obliged all archbishops and bishops to perform every trust according to the true intent of the deeds. Another provided for the confirmation of leases, made by the Lord Primate and other prelates in Ulster, of such endowments as had been granted by King James I to the sees of Armagh, Derry, Clogher, Raphoe and Kilmore, giving them power at any time within five years to grant leases for sixty years of such lands. Another important act provided for the preservation of the inheritance, rights and profits of the land belonging to the Church and ecclesiastical persons. This act also limited them as to term and to rent. For the

benefit of the inferior clergy an enactment granted restitution of impropriations [47] and tithes and other ecclesiastical rights to the clergy, with restraint from alienating the same.[48]

During the Cromwellian period it was the practice of the rulers of the State to seize the Church revenues and to leave the bishoprics unoccupied, partly in order that the property of the Church might be appropriated by the State for secular purposes, and partly that the constitution of the Church might be broken up and that eventually episcopacy should cease to exist.[49]

But there was still another factor which was injurious to the endowments of the Church of Ireland, and for which the clergy themselves were to blame. Long leases and in some cases even perpetuities had been granted on very inadequate considerations by certain of the prelates and others, both before and after the Reformation. These were in some cases an unjust alienation of Church property. Jeremy Taylor, Bishop of Down and Connor, thus alluded to this evil in the funeral service of Archbishop Bramhall in 1663. "For at the Reformation, the Popish bishops and priests seemed to conform or did so, that keeping their bishoprics they might enrich their kindred and dilapidate the revenues of the Church, which, by false information, fee-farms at contemptible rents and ungodly alienations, were made low as poverty itself." [50]

After the restoration of Charles II, an Act of Settlement was passed, whereby the estates of the Church were confirmed, and all appropriate tithes were forfeited to or vested in His Majesty for the Church forever, to be settled and established upon the present incumbents and their successors.[51] This Act of Parliament also contained a clause referring to the lands of the Irish Catholics which had been forfeited during the period of the Puritan Revolution because of the participation of the owners in the Rebellion. It provided "that of every 100 acres forfeited, two acres

should be allowed and set apart for glebe in every parish, barony and county, as shall be most contiguous and convenient for the several parish churches, in such places situate or to be situated." It would be difficult to ascertain just what was the effect of this enactment. This statute virtually meant that the property of the Church which was torn from it during the Civil Wars, was to be restored, that glebes were provided for its clergy, and that the Church of Ireland was to be secured in its rights. It was further enacted, that in lieu of such provisions for glebe, as was intended by the Act of Settlement, commissioners should likewise set out so many acres of land as might be sufficient to endow or supply every parochial church in the Kingdom with at least ten acres of glebe, and that the same should be so allotted as might be most contiguous and convenient to the several respective parish churches.[52]

During the reign of Anne the ancient papal imposts of First Fruits and Twentieth Parts were remitted to the Church of Ireland, the Twentieth Parts being remitted to the clergy individually, and the First Fruits being made over to trustees for the purchase of glebe lands, the building of glebe houses, and the increasing of small benefices. This trust continued to be exercised for the benefit of the Irish Church till the passage of the Temporalities Act in 1836, when the payment of First Fruits was entirely abolished.[53]

The wealth of the Church, however, in the eighteenth century, was diminishing. Many churches had been destroyed during the Civil Wars and had never been rebuilt. The revenues of many parishes had been appropriated by laymen and had never been restored. The poverty of the Catholics, the minute sub-divisions of the land, the difficulty and expense of collecting numerous small dues, and the hostility not only of Catholics and Presbyterians, but also of Episcopal landlords, made the real income of the clergy much less than it was thought to have been.[54] In the year 1735,

when the Church had in some degree recovered from many of its difficulties, it received a very severe blow at the hands of the landed proprietors. This was the abandonment of the payment of the agistment tithe, to which reference has been made.[55] At that time the grazing lands comprised the greater part of the land of Ireland. The case is well stated in the following words: "The incomes of the bishops being exclusively derived from lands, had by the increased value of such property, become greatly improved, as had also those of the beneficed clergy generally in Ulster, who were, for the most part, provided with tolerable glebes. To the incumbents, however, in other parts of Ireland whose glebes (where they had any) were usually small, and who were therefore chiefly dependent on the tithes, the abandonment of agistment tithe, coupled with many previous acts of private fraud or violence, was productive of much distress and impoverishment; the consequence being the too frequent union of several parishes into a single benefice and, in many cases, a benefice far from remunerative." [56] The loss of the agistment tithe decreased the Church revenues, and there were still greater losses in the nineteenth century.

The first important Act of Parliament in the nineteenth century, affecting the endowments of the Church, was the Act passed in 1824, for the composition of the tithes.[57] This was followed by additional legislation in 1834 and 1838 regarding the tithes.[58] The final enactment affecting the endowments of the Church of Ireland was passed in 1857. By this Act, a revenue of about £12,000 per annum, known as ministers' money and payable by the owners of houses in certain towns, was abandoned. The general result of these various measures, affecting tithes, church rates and ministers' money, was to diminish the revenues of the Church by nearly £250,000 a year, which was about one-third of the entire income. Of the original endowment of the Church

held before the Anglo-Norman invasion but little remained in the nineteenth century, and that little consisted chiefly of lands. Consequently only a small part of the original property remained in 1869 as a part of the revenue of the Church of Ireland. The report of the Commission on Church Revenues in 1868 pointed out that it was a great mistake to suppose that the Church of Ireland remained in possession of the whole of its ancient endowment. The various tithe acts of 1823, 1834, and 1838, together with the legislation of 1857, so reduced the revenues of the Church that what remained was scarcely a larger proportion than would have fallen to its lot, if the tithe had been a national provision, and had been divided among the Irish churches.[59]

Gladstone, in a speech in the House of Commons in 1869, discussed the income of the Church. He had great difficulty, he said, in making out how much it really was, although the Report of a Royal Commission gave full details. This Commission, which had labored from November, 1867, to July, 1868, reported that the income of the Church was £616,000 a year. This, Gladstone thought, was too low. Within a fortnight after the Commission had submitted its report one of the members, Colonel Adair, published a statement that the income was £839,000. Gladstone believed that it was more nearly correct to place the income of the Church at £700,000 a year. He then went on to explain that what the Government had to deal with in 1869 was the capital of the Irish Church. After many comparisons, he found that the tithe rent-charge if capitalized would amount to about £9,000,000. He also found that the value of the land of all kinds—episcopal, chapter and glebe [60]—in addition to the perpetuity rents connected with them, would yield, if sold, £6,250,000; also, the money of the Church in stocks and bonds was about £750,000. He made no attempt to value the fabrics of the churches or glebe-houses, since these were not items of considerable account. The whole capital

value of the Church property in Ireland was, by Gladstone's estimate, less than £16,000,000. It had been thus reduced by the unbounded waste of life-tenants and by the unwisdom or wisdom of a well-meaning Parliament. The life interests of incumbents of all kinds in the Church—bishops, dignitaries and parochial clergy—amounted to £4,900,000. Gladstone explained that this sum, if divided among the large number of clergy, would represent a very slender return for the costly education and years of labor attending their respective positions. Other life interests, such as compensation of the curates, compensations to laymen and advowsons, which were incorporeal hereditaments, amounted to £2,000,000. Gladstone reckoned that the total charges against the property of the Church, in case of disestablishment, would be £8,650,000. Since the whole capital of the Church was estimated at about £16,000,000, the net wealth of the Church could be considered as amounting to a sum somewhere between £7,000,000 and £8,000,000.[61]

The membership of the Church of Ireland

Another very real grievance against the Irish Church was the fact that it ministered to only a minority of the people of Ireland. Even if the principle of State endowment for the Church was admitted, yet many people felt that the existing provision for the Church was on too large a scale, and quite unsuited to the existing condition of its membership. It is true that Ireland was divided into parishes, but the boundaries had remained unchanged since the Reformation. In each parish the incumbent had the cure of souls; that is, he was bound to attend to the spiritual wants of all persons dwelling within its limits, and to perform divine service in the parish church. As a remuneration for these duties he was entitled to receive during his incumbency the tithes of his parish. This meant, of course, that the cure of souls was independent of population and had reference only to terri-

torial limits. Such divisions had become unsuited to the actual needs of the people. The absurdity of the system led to the practice of forming unions of parishes. Southey, in speaking of Madely in Shropshire, says: "It is a populous village in which there are extensive collieries and iron works, and the character of the inhabitants a reproach to England. This is because the Established Church is arranged by acres, not by souls, and an increase of the population beyond the ordinary means of religious instruction is followed by gross immorality."[62] This picture could have been duplicated many times in Ireland.

What the actual condition of the Irish Church was in 1834 is revealed in one of the reports of the Commissioners of Public Instruction in Ireland. This was the first official inquiry into the number of persons in communion with the various churches in Ireland. The Established Church, including Methodists, numbered 852,064, or 10.72 per cent of the population; the Roman Catholics numbered 6,427,712, or 80.91 per cent of the population, the Presbyterians, 642,356, or 8.1 per cent of the population, and other Protestant Dissenters, 21,808, or .27 per cent of the population. The members of the Established Church, therefore, numbered a little more than one in ten of the total population, which was 7,943,940.[63]

In 1834 the Commission also found that there were in Ireland 2,532 civil parishes but only 2,422 ecclesiastical parishes. The latter were divided into 1,387 benefices, with a constituency as follows: 41 contained no Protestants; 20 contained less than 5; 23 contained less than 10; 31 contained less than 15; 99 contained less than 20; 124 contained less than 50; 161 contained less than 100; 224 contained less than 200; 286 contained less than 500; 210 contained less than 1,000; 139 contained less than 2,000; 91 contained less than 5,000, and 12 contained over 5,000. As to places of worship, the Established Church had 537; the Roman

Catholic Church had 2,109; the Presbyterians had 452; and other Protestant Dissenters had 404, making a total of 4,502. In the various benefices, there were 118 that had more than one church, 1059 that had only one church and 210 that had no churches. Fifty-seven had no provision for the cure of souls and 157 had no divine service.[64]

As to the Episcopal livings and parishes, the Province of Armagh had 552 livings in 658 parishes, with a population of 517,720; the Province of Dublin had 311 livings in 624 parishes, with a population of 177,930; the Province of Cashel had 469 livings in 791 parishes, with a population of 111,813; and the Province of Tuam had 103 livings in 275 parishes, with a population of 44,599, making a total of 1435 livings in 2,348 parishes, with a total population of 852,064. This showed an average in the Irish Church of only 363 persons to a parish, and less than 600 persons on an average to each living.[65]

As to the combination of offices in the Irish Church, it was found that 139 dignitaries held 156 dignities, 17 prebends, and 412 benefices and offices; that 178 prebendaries held 24 dignities; 187 prebendaries held 454 benefices and offices; and that 9 canons held one dignity, one prebend and 25 benefices and offices. This meant that 326 dignitaries were in possession altogether of 1,277 dignities, benefices, and other offices. The value of the dignities alone was £152,666.[66]

According to data submitted to Parliament in 1835, there were some parishes where the population was exclusively Catholic, and many others where the number of Protestants did not exceed one hundred. Yet these Catholic parishes were obliged to contribute to the support of the Irish Church. Furthermore, out of a total number of 1,293 beneficed clergy, only 823 were resident. The others, numbering 470, were absent either by exemptions, license or some unexplained cause.[67]

The official census of Ireland in 1861 furnishes some interesting data on Church affairs. This record shows that the number of members belonging to the Established Church was 693,357; the members belonging to the Roman Catholic Church were 4,505,265; the members belonging to the Presbyterian Church were 523,291; and the members belonging to other dissenting churches were 72,054; the total population of Ireland being 5,793,967.[68]

Of the total Irish population, this table shows that the Established Church possessed only one-ninth. Two dioceses in Ulster, presided over by the Archbishop of Armagh and the Bishop of Down, together with the diocese of Dublin, contained 407,011 of the whole population belonging to the Established Church. This left in all the rest of Ireland, with the exception of these three dioceses, only 276,346, a population less than many an English town. When this ecclesiastical record was compared with the census of 1834, it showed that the members of the Established Church had decreased nineteen per cent while the decrease of the whole population was twenty-seven per cent.[69]

The census returns of 1834 and 1861 on ecclesiastical matters drew attention to the fact that the Irish Church contained only from ten to twelve per cent of the whole number of people. This fact gave force to the charge that the Irish Church was an alien Church. It was felt on all sides, by even its best friends, that the State Church in Ireland, "had nothing to urge in its defense, except that it was one of the great bulwarks of English power in the country, and that its official position had been guaranteed by the Act of Union, and that by appropriating the possessions of the Irish Church, the very foundations of property in Ireland would be endangered." [70]

It is thus seen that the Irish Episcopal Church enjoyed many privileges, held large endowments and administered to a small minority of the population in Ireland. Gladstone

said, " It is not the Church of the Nation, but the Church of a fraction of between one-eighth and one-tenth of the Nation. It is not the Church of the poor, for my right Honorable Friend, the member for Cambridge University (Mr. Walpole), has just told us that nine-tenths of the land of Ireland is in the hands of its members." [71] Such was the the state of the Irish Church three centuries after the Reformation. Its revenues had been wasted or distributed, often without the smallest regard to worth or merit. The scandals of nepotism and jobbery were so numerous and so flagrant that the Irish Church Establishment had become an institution against which much criticism was directed.

NOTES AND REFERENCES

1. *Hansard,* 3d ser., vol. 194: 1882. Mar. 19, 1869.

2. The first university was established in connection with St. Patrick's Cathedral, Dublin, in 1320, but it lacked endowment and was dissolved by Henry VIII. Killen, *Ecclesiastical History,* vol. 1, p. 447.

3. Walpole, *A Short History of Ireland to the Union in 1800,* p. 111.

4. Spencer, Edmund, *A View of the State of Ireland,* pp. 139–141.

5. Walpole, *op. cit.,* p. 110.

6. *Ibid.,* p. 207.

7. Ball, J. T., *The Reformed Church of Ireland,* p. 115; *Strafford Letters,* vol. 1, pp. 186, 187, Jan. 31, 1634.

8. *Strafford Letters,* vol. 2, p. 7; Ball, *op. cit.,* p. 116; Mant, *History of the Church of Ireland,* vol. 1, pp. 448–452.

9. Ball, *op. cit.,* pp. 168, 175; Perry, George G., *A History of the Church of England,* vol. 1, p. 198; vol. 3, p. 541; Walpole, *op. cit.,* pp. 423, 424; Mant, *op. cit.,* vol. 2, p. 299.

10. Swift, Works, vol. xi, p. 272; Ball, *op. cit.,* pp. 202, 203; Olden, Thomas, *The Church of Ireland,* pp. 383, 384. To Swift, Irishmen were not the native Irish, but the Anglo-Irish.

11. Perry, *op. cit.,* vol. 3, pp. 537–540. Boulter, Archbishop Hugh, *Letters to Ministers of State in England,* 1724–1738, vol. 1, pp. 19, 24, 157; Lecky, *Ireland in the Eighteenth Century,* vol. 1, p. 198; Mant, *op. cit.,* vol. 2, p. 289.

12. Killen, *Ecclesiastical History of Ireland,* vol. 1, p. 252.

13. Perry, *op. cit.,* vol. 3, pp. 550, 551; Mant, *op. cit.,* vol. 2, pp. 602, 632.

14. Perry, *op. cit.,* pp. 552–553.

15. Mant, *op. cit.*, vol. 2, p. 424; Olden, *op. cit.*, p. 383; Overton, Rev. Canon, and Relton, Rev. Frederick, *The English Church from Geo. I to the end of the Eighteenth Century*, pp. 347, 348; Leland, *Histoire d'Irelande*, vol. 3, pp. 299, 300.

16. Greville, Chas. C. F., *The Greville Memoirs, A Journal of the Reigns of King George IV and William IV*, vol. 3, p. 207; Walpole, *op.* cit., p. 359.

17. Child-Pemberton, Wm. S., *Life of Frederick A. Hervey*, vol. 1, pp. 300–313; Ball, *op. cit.*, pp. 198, 199; Hardy, Francis, *Memoirs of the Life, Political and Private of James Caulfield, Earl of Charlemont*, vol. 2, p. 102; Mant, *op. cit.*, vol. 2, pp. 687–696; Barrington, Sir Jonah, *The Rise and Fall of the Irish Nation, Personal Sketches of His Own Times*, pp. 289–292.

18. Ball, *op. cit.*, pp. 199, 200.

19. *Constitutional History of England* (ed. 1829), vol. 3, p. 537. The number of Irish Sees in 1792 was twenty-two, four archbishoprics and eighteen bishoprics. All the sees but two were provided with residences. There were thirty-three deaneries and thirty-four arch-deaconries. Cathedral chapters existed in most of the sees. Some of the sees, however, had no cathedral churches. There were eleven hundred and twenty benefices, with cure of souls, and one hundred and eleven sinecures. But for these benefices there were only a thousand and one churches, which meant that many benefices were without church buildings. Perry, *op. cit.*, vol. 3, p. 153.

20. See Chapter I.

21. Ball, *op. cit.*, p. 245. Magee, Bishop of Raphoe, 1819, and Dublin, 1822, had been a Fellow; Brinkley, Bishop of Cloyne, 1826, had been a Professor of Astronomy; O'Brien, Bishop of Ossary, 1842, had been a Fellow and Griffin, Bishop of Limerick, 1854, had also been a Fellow.

22. Skeats, Herbert S., *The Irish Church, An Historical and Statistical View*, p. 25.

23. Godkin, *Ireland and Her Churches*, p. 435.

24. *Hansard*, 3d ser., vol. 194: 1836–1838.

25. On page xix to the preface of his book, *Ireland and Her Churches*, Godkin has written concerning the Irish Church. There we find a table of the amount of assets left by every Irish bishop who died between the years 1822–1857. In connection with this table, if we examine the list of Irish families, founded by Bishops, on page 527 of this work, we will see to what extent the blood of the Anglican bishops has been the seed of the Irish aristocracy. The total amount of personal property left by twenty bishops was £861,868, an average of £43,093 for each bishop. Godkin extracted this data from the Registry in the Court of Probate.

26. *Hansard*, 3d ser., vol. 191: 610–611.

27. Froud, *op. cit.*, vol. 3, pp. 578, 579. As was shown in Chapter 2, the peasants in most cases hated the principle of the tithes and the methods of collection rather than the clergy themselves.

28. *Hansard,* 3d ser., vol. 191: 483. Mr. Gladstone.
29. Godkin, *op. cit.,* pp. 160–490.
30. Killen, *op. cit.,* vol. 1, p. 243.
31. *Calendar of Carew Manuscripts,* vol. 3 (1589–1600), Introduction xxxiv, xxxv.
32. Walpole, *op. cit.,* pp. 92, 110.
33. 28 Henry VIII (Irish) c. 14.
34. *Hansard,* 3d ser., vol. 194: 1794.
35. 28 Henry VIII (Irish), c. 2, 5, 6, 8, 13, 16, 19, 26; Killen, *op. cit.,* vol. 1, p. 339.
36. *State Papers Published Under the Authority of His Majesty's Commission, Henry VIII,* vol. 3, part 3, pp. 562, 563; 33 Henry VIII c. 1; Killen, *op. cit.,* vol. 1, pp. 350–351.
37. *Calendar of Carew Mss.,* vol. 3 (1589–1600), Introduction, pp. xxxiv, xxxv.
38. *Report of Her Majesty's Commission on the Revenue and Condition of the Established Church, Ireland,* pp. 166–167. These data were from a Cotton Mss. in the British Museum, Titus B, XII, pp. 660–670.
39. Killen, *op. cit.,* vol. 1, pp. 481, 485; See Chapter I.
40. Godkin, *op. cit.,* p. 451.
41. *Calendar of Carew Mss.,* vol. 6 (1603–1624), pp. 235, 323.
42. Brady, W. Maziere, *Remarks on the Irish Church Temporalities Bill,* p. 22.
43. Walpole, *op. cit.,* p. 221.
44. *Hansard,* 3d ser., vol. 195: 1908.
45. Mant, *op. cit.,* vol. 1, pp. 507–510.
46. *Ibid.,* vol. 2, pp. 238–239. Written to Robert Harley, Earl of Oxford and a noted Tory leader. Oct. 17, 1710.
47. Ecclesiastical property in the hands of laymen.
48. 10 & 11 Chas. I (Irish), c, 2, 3.
49. Mant, *op. cit.,* vol. 1, p. 596; Killen, *op. cit.,* vol. 2, pp. 104–107; Elrington, Chas. R., *Life of the Rev. James Ussher and an account of His Writings,* pp. 274–275.
50. Mant, *op. cit.,* vol. 1, pp. 642, 643; *Report of Her Majesty's Commission on the Revenues and Condition of the Established Church in Ireland,* p. 167.
51. 14–15 Chas. II (Irish) c. 2.
52. 17–18 Chas. II (Irish) c. 2.
53. Killen, *op. cit.,* vol. 2, pp. 214, 215; Mant, *op. cit.,* vol. 2, pp. 242–243; See Chapter I, note 60.
54. Lecky, *The English in Ireland,* vol. 1, p. 200; Mant, *op. cit.,* vol. ii, pp. 570–575.
55. See Chapter I.
56. Edwards, William, *Political History of Ireland,* p. 26.
57. 4 Geo. IV, c. 99.

58. See Chapter II.

59. *Reports of Her Majesty's Commissioners on the Revenues and Conditions of the Established Church, Ireland,* appendix, no. 28, p. 169.

60. Many of the glebe lands had been given to the clergy by the native princes and landowners. The grants to those in Ulster had been confirmed by the Act of Settlement, the same statute which confirmed the Roman Catholic proprietors in the lands they possessed. *Hansard,* 3d ser., vol. 191: 514.

61. *Hansard,* 3d ser., vol. 194: 451–454. Mar. 1, 1869.

62. Lewis, Sir George Cornwall, *Local Disturbances in Ireland,* pp. 352–354.

63. *First Report of the Commissioners of Inquiry on Education in Ireland,* 1825, vol. 33, Appendix, No. 2, pp. 7–45. Of these 1387 benefices, 908 were single parishes and 429 were unions of two or more parishes. *Ibid.,* appendix, no. 2, p. 74. Parishes were permanently united by an Act of Parliament, by an Act of Council, by prescription or by being temporarily united by the authority of the Bishop of the diocese. Perpetual curates had been appointed to a portion of a parish, especially allotted to them. Godkin, *op. cit.,* p. 142.

64. *Ibid.*

65. *Ibid.*

66. *First Report of the Commissioners of Inquiry on Education in Ireland,* Schedule iii, pp. 290–291.

67. *Report of the Commission on Tithes 1832,* Appendix no. 2.

68. De Vere, Aubrey, *The Church Settlement of Ireland,* Preface, p. ix.

69. *First Report of the Commissioners of Inquiry on Education in Ireland,* Appendix E, p. 216.

70. MacCaffrey, *op. cit.,* vol. 2, p. 211.

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CHAPTER IV

Gladstone and the Genesis of the Disestablishment Campaign

That the movement for the disestablishment of the Church of Ireland should find its most powerful leader in the person of William Ewart Gladstone may indeed seem surprising. Gladstone was throughout his life a devout adherent of the Church of England and a strong defender of the Establishment. He might not, therefore, be expected to approve any program for disestablishing and disendowing the Irish branch of that Church. The perplexing question is how he came to change so completely his theory in regard to Church and State as to champion the disestablishment of the Church of Ireland.

Gladstone's religious views

In order to understand Gladstone's position on the relation between Church and State, it is necessary to review briefly his religious views. In an unfinished autobiographical fragment, he says, "I can give a tolerably clear account of the steps by which I was theoretically, and by a very gradual process, built up into a Churchman." [1] He explains that in childhood his environment was strictly evangelical and that he was taught to believe that everyone who did not belong to the Church of England was lost, with the result that he had a bigoted misconception of what Christianity really meant. There was nothing in his school life at Eton to change this idea. It was the mother of his friend Milnes Gaskell who in 1829 first pointed out to him a broader view, a toleration for the religious faith of others. Concerning his religious opinions during his student days at Oxford, from 1828 to

1832, there is an excellent account from his own hand, dated March, 1829, which shows how completely he still belonged to the Evangelical School. In this document, he describes the religious conditions in the University as follows: "The state of religion in Oxford is the most painful spectacle it ever fell to my lot to behold. Here is a seminary for furnishing with ministers a reformed and Apostolic Church. It bears and it bears openly and almost boastfully the title of 'a place more immediately dedicated to God's honor and service.' It has means placed at its command and fully adequate to the ends which it professes to seek. Its wealth is abundant; its learning gigantic; its reputation splendid; there is no spiritual, no intellectual, no physical advantage which Oxford does not seem to possess. It is a goodly vineyard, planted thickly within, and strongly hedged about against incursions of foes. We have no Papists, no Socinians, no Dissenters of any kind. Where, then, are the fruits? Surely He who hath planted and hedged about this vineyard will look for its produce, and He will expect it to be proportionate to the splendid gifts which He has bestowed upon it. He will look for it in due season; and He will look for it in due abundance. And He will find neither the one nor the other." [2]

He pointed out that in the University irreligion was the rule and religion the exception, with the result that throughout all of England the opinion prevailed that the undergraduate of Oxford or Cambridge was the personification of a wild and thoughtless young profligate. Infidelity, Popery and even Dissent were rigorously excluded from the University, yet one could scarcely find a place where there prevailed greater bitterness over High and Low Church principles. Much zeal was shown about Church doctrines, but Christianity did not seem to produce much practical effect on the heart and life of the students.[3]

After his graduation from Oxford in January, 1832, Glad-

stone left England for Italy. During his travels two incidents served to change his whole attitude toward religion. One was the vision of a lost Christian unity by which he was confronted when he entered St. Peters at Rome, and the other was the result of an accidental examination at Naples of the Occasional Offices of the Church in the Prayer Book.[4] Previous to this he had taken a great deal of instruction direct from the Bible, but then the fact dawned on him that the Church too might be a teacher. This gave him a new conception of the nature of the Church " with its ministry of symbols, its channels of grace and its unending line of teachers," and it became a definite and organized idea when, at the suggestion of James Hope, he read William Palmer's *Treatise on the Church of Christ,* a work which he later called the most powerful and least assailable defense of the Anglican Church since the sixteenth century.[5] But it was not until Gladstone had found in Henry Edward Manning a friend who took an interest in the relations of Church and State, that he showed how large a place the subject had in his mind.[6]

Gladstone's ideas on the Established Church

By 1835, as Gladstone's early letters show, he saw that the connection of Church and State had its dangers, but he thought they were religious dangers. That such a union might do harm to popular liberty did not occur to him. To him, the highest function of the State was to promote true religion. After Catholic Emancipation in 1829 it became impossible to confine the attacks on the Church to England alone. In both branches of the Church, English and Irish, there were the same scandals, but in Ireland they seemed worse, because the Established Church was not the Church of the majority of the people. This latter situation was not recognized by the defenders of the Church, who saw in reform only another name for the destruction of all establishments.[7]

As there came to be more and more attacks on the Church of Ireland Gladstone endeavored to find some sound principle on which to rest his opposition to the proposals for reform. He argued that the State, having a conscience, could distinguish between truth and error in religion, and was therefore bound to give official and financial support to the true religion, and to no other. So long as the Catholics and Nonconformists were excluded from the House of Commons, he could stop with this principle, for the law gave full political rights to none but members of the Church of England. But the legislation of 1828–1829 had destroyed this principle of a "State conscience." When in 1839 Gladstone published his treatise *The State in Its Relations with the Church,* he endeavored to show what was left of his original theory. What he really wanted to do was to find some sure ground on which to base the defense of the Established Church. He saw in "the defense of the reformed church in Ireland as the religious Establishment of the country nothing but a high and glorious though arduous duty," and he looked forward "to the blessed results which would follow from the general proclamation of Scriptural religion throughout Ireland." [8] A statement which he made on the subject thirty years later in "A Chapter of Autobiography," is quite true. "My work had none of the stock arguments for maintaining the Church of Ireland. I did not say, 'Maintain it lest you disturb the settlement of property.' I did not say, 'Maintain it lest you offend and exasperate the Protestants.' I did not say, 'Maintain it because the body known as the Irish Church has an indefeasible title to its property.' I did not say 'Maintain it for the spiritual benefit of a small minority.' Least of all did I say, 'Maintain it, but establish religious equality by setting up at the public charge other establishments along with it, or by distributing a sop here and there to coax Roman Catholics and Presbyterians into a sort of acquiescence in its being

maintained.'" [9] What he had said was that the Church established by law was to be maintained for its truth.[10] If the Irish Church did not exist for the purpose of converting the Irish people, he did not care to keep it established. His defense of the Irish Church had been from the very first an anachronism, for the truth of its teaching was the least of its merits in the eyes of its political supporters. Gladstone had no sooner written his book than his disillusionment concerning Ireland began.

When Macaulay in a careful and detailed review of Mr. Gladstone's book indicated that a writer, who held that religious non-conformity ought to be a disqualification for civil office and that the act of communion was the true mode of ascertaining conformity, must be prepared to reenact the Test Act, Gladstone explained that what he had protested against was "the principle that religious differences were irrelevant to the competency for civil office," but that he did not hold that "the degree of relevancy was the same in all cases." He intended that his rules should be followed out in practice only in so far as they might be consistent with the peace and good government of society.[11] Macaulay made another criticism which is of interest in studying Gladstone's position regarding the Irish Church. He wrote: "If there were in any part of the world a national Church regarded as heretical by four-fifths of the nation committed to its care; a Church established and maintained by the sword; a Church producing twice as many riots as conversions; a Church which, though possessing great wealth and power, and though long backed by persecuting laws, had in the course of many generations been found unable to propagate its doctrines, and barely able to maintain its ground; a Church so odious that fraud and violence, when used against its clear rights of property, were generally regarded as fair play; a Church whose ministers were preaching to desolate walls, and with difficulty obtaining their law-

ful subsistence by the help of bayonets—such a Church, on our principles, could not, we must own, be defended. . . . Those who preach to rulers the duty of employing power to propagate truth would do well to remember that falsehood, though no match for truth alone, has often been found more than a match for truth and power together." [12] This criticism may have caused Gladstone to question the fitness of the Irish Church for the work which had been assigned to it.

Dr. John Keble, in reviewing *The State in its Relations with the Church,* criticized the argument that the supremacy of the State "does not destroy the independence of the Church, because there always remains the remedy of putting an end to the connection." This, he said, "was just the martyr's and confessor's remedy—leave to suffer—when in conscience the Church dares not obey." He also observed that there was a sadder picture than that of a "world antichristianized by the downfall of Establishments"; it was that of a Church turned antichristian by corrupt Establishments.[13] Gladstone accepted Keble's warnings without question, which might indicate that his views were changing. What he wrote on the State and the Church in 1839 was no doubt a true expression of the views he held up to that time. That his views were already changing and that he had as yet nothing to put in their place is seen in his comment on Keble's criticism. He said, "Keble must have had the gift of prophecy in its larger sense, so accurately does he interpret many hidden meanings that are in my mind rather than in my book." [14] At least, Gladstone's change of opinion regarding Establishments seems to have begun at that time.

Had he been left to himself, the change in his theories and convictions regarding the relations of Church and State might have been delayed for some years. But the decision of Sir Robert Peel in regard to the Maynooth Grant compelled Gladstone to reconsider the whole question. In 1845 Peel as Prime Minister had proposed to treble the annual

grant to Maynooth College for the training of Roman Catholic clergy in Ireland, and to establish a permanent endowment.[15] This scheme was virtually approved by Gladstone, then President of the Board of Trade, in spite of his views expressed in the *The State in its Relations with the Church,*[16] which he knew were incompatible with the principles underlying Peel's proposal. He wished to support the Maynooth Grant, but he felt that his conduct in doing so would be open to suspicion if at the same time he retained his government post. He therefore resigned, and explained at some length in Parliament why he took such action. But his speech was far from convincing.[17] Many years later he wrote in his autobigraphical sketch concerning the incident as follows: "My whole purpose was to place myself in a position in which I should be free to consider my course. . . . The moment I admitted the validity of a claim by the Church of Rome for a gift by the free act of the Imperial Parliament, the true basis of the Established Church of Ireland for me was cut away. One had always been treated by me as exclusive of the other." [18] In a speech on the Maynooth proposal, made some weeks later, Gladstone formally discarded his published theory of Church and State, "although he still believed it to be the most salutary and the best in any condition of public sentiment that would bear its application." He declared with great emphasis that he was prepared, even in opposition to the judgment of his own constituents, from whom he regretted to differ, and contrary to his own deeply cherished predilections, to give deliberate support to the measure. He voted for it on second reading, but did not speak again on the subject.[19] After a long discussion the Bill for the Mynooth Grant was finally passed on June 16 by a majority of 131.[20]

While the Maynooth Grant was under discussion he wrote to Manning: "I have not arrived at any set form of opinion concerning the Irish Church. The question that

pursues me is this: Can social justice, which of course varies in its form and application according to the conditions of political society, warrant the permanent maintenance of the Irish Church as it is? I have not yet been able to find the grounds of an affirmative answer. . . . My intention is never again to pledge myself at an election on the subject." [21]

Gladstone's interest in the Church of Ireland

From 1845 to 1863 Gladstone apparently was not at all concerned about the Irish Church. The Tithe Commutation Act of 1838 had taken the sting out of the Irish question. It did not disturb the minds of statesmen again until 1865. In the course of time Gladstone became more concerned about the Irish Church, and in 1863 he said he had made up his mind on the subject and should not be able to keep himself from giving public expression to his feelings.[22] He discussed the matter with John Bright the following year when he stated in effect that he had recognized the settlement of the Irish Church question to be one of the purposes of the Liberal Party "when restored to life." [23] That Gladstone had reached a new position on the relation of Church and State was shown in a letter of February 13, 1865, in which he wrote: "I will never be a party knowingly, to what I may call frivolous acts of disturbance, nor to the premature production of schemes of change, but still comes back the refrain of my song, 'I am not loyal to it [the Irish Church] as an establishment.'" [24] A few weeks after this letter had been written, a Welsh radical member, Mr. Dillwyn, moved in the House of Commons a resolution affirming that the state of the Irish Church was unsatisfactory, and called for the early attention of Her Majesty's Government. He informed the House that there were five millions of people in Ireland for whom no religious provision had been made. The real question seemed to be that of the utility of the Established Church. "The obvious

definition of an Established Church was one established by the general consent of the community for the administration of religion. This was not the position in which the Irish Church stood at the present moment." [25]

While serving as Chancellor of the Exchequer in Lord Palmerston's administration, from 1859 to 1865, Gladstone had not made any severe criticism of the Establishment in Ireland. This may have been out of deference to his chief, who in the last years of his life was opposed to all extensive changes. When Dillwyn's resolution was presented, however, Gladstone went at some length into the problems raised by the Church of Ireland. He called attention to the economic position of the Established Church in a nation having a population of between five and six million people but in which less than seven hundred thousand had the exclusive possession of the ecclesiastical property of the country intended to be used for the religious instruction of all. Furthermore, those who benefited from this property were the wealthy class of the community, " whereas the most numerous portion of the population of Ireland have among them almost the entire poverty of the country." It was his belief that if the Government of Queen Elizabeth's reign could look down the vista of time and see in the year 1864 what the result of all their labors had been,—that after three hundred years the Church which they endowed and established in Ireland administered to the religious wants of only one-eighth or one-ninth of the community, they would consider it a failure. Yet such was the actual situation. Although Gladstone did not agree that the question called for the early attention of the Government, nevertheless his speech was taken as an indication that his appearance as the advocate of disestablishment was only a matter of time.[26] Without doubt Gladstone's speeches on this occasion alarmed Churchmen and probably contributed to his losing his seat for Oxford when the general election took place in July, 1865.[27]

Dillwyn's motion caused a long debate but no particular results came from it. When the discussion became very ardent, the House adjourned. Two more efforts were made by Mr. Dillwyn to bring up the question of the Irish Church, but without success.[28]

Sir John Gray and the Irish Church

The question of the Established Church in Ireland was not raised again until Sir John Gray, member for Kilkenny Borough, on April 10, 1866, asked the House to give its earliest attention to the subject of Irish Church establishment. He concluded his speech with these words: "I ask you to remember that this question is looked upon in Ireland as being at the root of all the evils of that country. It is at the root of the educational difficulty in Ireland. The bishops and the clergy of the Established Church have labored strenuously from time to time, and are laboring still, to keep the Catholics from the advantages of education and office. It is at the root of the land question, for we find that the laws enacted to sustain the Church prevented Catholics from holding land or from being tenants of the land." [29]

In the same debate, Colonel F. S. Grenville, member for Longford County, maintained that the Reformation in England was the work of the nation, and the Dissenters left the Church. But in Ireland the case was far different. There the people were made dissenters in their own country from a religion which they never professed. He quoted Hallam's, "Constitutional History of England," to the effect that the Protestant religion was introduced compulsorily at a time when erroneous opinions prevailed upon this as on other subjects. It had then been held that the interests of Ireland should be made subservient to the interests of England, but such a principle was so essentially unjust that it had enormously aggravated dissatisfaction in Ireland. "The tendency of the day," continued Colonel Grenville, "is rather to take

away all religious endowments so far as it is practicable, for it is unjust that the people should be taxed to pay the clergy of any denomination in Ireland where the ecclesiastical revenues, if fairly applied, would suffice for the religious requirements of all. The House had been told that the majority of the landed proprietors of Ireland who paid the tithes, were Protestants and that, therefore, it was no hardship to the people. Such an argument," he maintained, " was ungenerous when one considered that confiscation on account of religion had forced the land into the hands of the Protestants, and the cruel penal laws had deprived the Catholics of all hopes of acquiring property. The question was not a religious one, but one of reason, common sense and justice." Considerable discussion took place on the resolution but the House adjourned without action.[30]

The attention of Englishmen was forcibly drawn to Ireland in the autumn of 1867 when the Fenians made an attempt at Manchester in September to rescue some prisoners who were accused of a conspiracy to seize Chester Castle, and when they committed a far more serious outrage at Clerkenwell prison in December, in consequence of which twelve persons lost their lives and many others were injured.[31] Nothing seemed to be so effective as mob violence to make the English people remember the existence of Ireland. The Fenian organization was a reality. Its chiefs knew how to intimidate the English people and their leaders, and Ireland suddenly became the question of the day. No one realized this better than Gladstone, who had a gift of appreciating the general situation. Said the Liberal leader, " This Fenian outbreak was the last in a chain of events that brought all the resources of British statesmanship to bear upon the condition of Ireland." [32] The Fenian conspiracy had served to direct public attention to the bad system of English control in Ireland, and the leaders of both political parties were busy considering an Irish policy.

Disraeli, who had something of a prophetic gift, had

pointed out as early as 1844, in a speech before the House of Commons, that the greatest cause of misery in Ireland was the identity of institutions with England. This included, of course, an alien church. To Disraeli's mind, it was the duty of the English Government to accomplish by peaceful measures all those changes in Ireland which a revolution would accomplish by force.[33] When Lord Derby retired from the Premiership in February, 1868, Disraeli succeeded to the head of the Ministry. He now had the opportunity as well as the responsibility of finding a solution for the difficulties in Ireland. For some months, he had been advocating a scheme to grant a charter to a Roman Catholic university in Dublin. Archbishop Manning advised him to get the cooperation of the Irish Catholic bishops for the plan.[34] Before the final reply of the Bishops to Disraeli had been prepared, events in Parliament brought the whole Irish question to the front.

On March 10, 1868, John Francis Maguire, member from Cork, a Roman Catholic and a Home Ruler, moved for a committee to inquire into the state of Ireland. He spoke of the " feeling of alienation from England that lies in the heart of the Irish people, of the dark and blood-stained page of cruelty, oppression and wrong, unequalled in the world." [35] He then proceeded to attribute the dissatisfaction partly to the insecurity of land tenure, and partly to that " badge of conquest "—the richly endowed Church of Ireland, the Church of so small a minority. The Roman Catholic clergy, he said, did not want to enrich themselves at the expense of the Established Church, for they had long ago pledged themselves to resist any State endowment, but the Roman Catholic population of Ireland desired disestablishment and disendowment—" the ending of a monstrous anomaly." He felt that the time had come when this Irish question should be dealt with not in a party spirit, nor in a sectarian spirit, but in a broad and generous spirit.[36]

The opinions expressed in the debates on the state of Ireland from March 10 to March 16, 1868, were varied, but the Liberals, the Radicals and the Irish agreed in demanding the disestablishment of the Irish Church as the first step in ending Ireland's grievances. Mr. Horseman, member for Stroud, declared that he objected to the Protestant Establishment in Ireland on many grounds, but to him the most important was the fact that it was the deadliest enemy of Protestantism itself. The Church of Ireland could not be dealt with by census returns like a decayed borough. It had passed beyond that stage of investigation. The Established Church was of one religion and the nation of another. He believed that by giving full effect to the principle of religious equality, by removing the feeling of insecurity, and by uniting all creeds in Ireland in one great system of non-sectarian education, it would be possible to govern Ireland without having to resort to measures of coercion.[37] Mr. John Stuart Mill, during the same debate, expressed his dissatisfaction at what he called "the beggarly account of empty boxes" which the Government had laid before the House instead of an Irish policy. If there was a question on which the human race had made up its mind it was the question of the Irish Church. "It is an institution that could not be submitted to by any country, except at the point of the sword." Since England had done little to allay the feeling of discontent which so long existed in Ireland, the remedy must be more drastic than any which he had heard proposed.[38] Continuing the debate Mr. Robert Lowe, member for the University of London, said that he regarded the money raised for the support of the Church of Ireland as public property. He believed that this property had been scandalously misappropriated and misapplied, when it was applied exclusively to the support of the religion of twelve persons out of every hundred inhabitants of Ireland. "It is a question of flagrant and manifest injustice and inequality, let us do justice to ourselves and require justice to be done by others." [39]

Mr. Jacob Bright, a radical member for Manchester and a brother of John Bright, as a Quaker was deeply interested in the matter. He held that the Protestant supremacy was doomed. "Religious equality, and on a voluntary principle," was his recommendation. And he also reminded the House that if the Church of Ireland were disestablished the "Regium Donum" to the Presbyterians and the Maynooth Grant to the Catholics must be withdrawn also.[40]

Speaking for the Conservative Ministry the Earl of Mayo, Chief Secretary for Ireland, declaimed against a merely negative attitude on the part of the Irish Protestants. The grievance against the Irish Church was admitted on all hands to be a grievance of sentiment, but such a grievance could affect the feelings of a large part of Ireland's population. He strongly objected to the position of the Church of Ireland being made the subject of parliamentary controversy, before the Royal Commission appointed to study conditions in the Church of Ireland had reported.[41] In the course of an elaborate speech dealing with the general conditions of Ireland, he expressed his unwavering hostility to any plan for the total disendowment of the Irish Church. He hinted that "levelling upwards" and not "downwards" was the proper course.[42] Mr. Gathorne Hardy, a High Churchman and Secretary of State for the Home Department, expressed his opinion that if the Commons should favor a plan for the disestablishment of the Irish Church just at that time, it would be "a piece of political baseness and cowardice unequalled in the annals of the world," and it would only be made a starting point for further demands.[43] A more moderate opinion was expressed by an Irish member, Mr. Chichester Fortescue, who told the House that nothing was wanted but what he termed religious equality or the abolition of the State Church. "If you will only abolish the State Church in Ireland, the landlords and tenants," said he, "will soon settle their differences."[44] Sir Stafford

Northcote, Secretary of State for India and a member of the Church of England, was the last speaker of any importance on the subject. He maintained that if they admitted the principle that it was unjust to maintain a religious establishment and to allow it to enjoy the property which had been made over to it, in a country where its professors were in the minority, there would be no possibility of stopping until all establishments in the United Kingdom had been swept away. He could not agree that the Church property was national property. It might originally have been national property, but it certainly had been given to the Church. He admitted, however, the right of Parliament to call upon the Irish Church to show the use it was making of its property, but how the retention of the property, which it had had for generations was an injustice, he could not see.[45]

The Irish policy of the Liberals

At this stage of the discussion on the situation in Ireland, the Liberal leader, William Ewart Gladstone, staunch supporter of the Church of England, launched the Irish policy of his party—the immediate disestablishment and disendowment of the Church of Ireland.[46] Although he agreed with Disraeli that the Roman Catholic grievance concerning university education ought to be remedied, yet such a meagre measure was entirely inadequate to solve the problems in Ireland. Gladstone accordingly challenged Disraeli and his party to meet the Irish situation by bringing about a complete separation of Church and State in that distressed land. He felt sure that the Irish Church must be dealt with at once. To wait for the report of the Royal Commission then sitting would accomplish nothing. Gladstone blamed the Government for not having realized the fact that a grave crisis had been reached in the affairs of Ireland. The Irish had an account with England which had endured for centuries. "Where," he said, "will you find the man who is not of the opinion that in this great and still pending con-

troversy between England and Ireland, England though she may have done much, has not done enough to put herself in the right. Though *vox populi vox Dei* when applied to fleeting and transitory movements may be an unworthy sentiment, yet the deep purpose and lasting convictions of the people are never founded and never stand the test of time and circumstances, without containing much of truth and of the sacredness of justice." He made a memorable declaration against the continued connection between Church and State in Ireland. Religious equality must be established by disestablishment and disendowment, and not by the endowment of other religious bodies or the redistribution of Church revenues. The proposal to distribute the income of the Establishment in salaries and stipends to the clergy of several communions had long passed the point of practical possibility. It was his sincere hope that England would now show justice to Ireland in regard to the Church.[47]

Gladstone's move was a brilliant party stroke. The Irish Church was in a very weak condition and could not long remain untouched. The astute Liberal leader knew full well that an attack on the Church would rally to the Liberal banner Roman Catholics, Liberal Anglicans, Dissenters and all others jealous of ecclesiastical power. However interested Gladstone may have been in finding a just solution of the Irish Church question, it seems probable that the exigencies of party politics played a part in determining his bold action in March, 1868.

Disraeli protested against "the monstrous invention of a crisis in Ireland" invented by Mr. Gladstone for the advantage of his party. He informed the House that for a quarter of a century Gladstone had done nothing for Ireland but make speeches in favor of the Irish Church, and had not at any time alluded to the critical state of affairs. While Disraeli realized that the condition of the Irish Church was not satisfactory, yet he believed that the true policy in Ireland was to create, not to destroy. If the Church of Ireland

was violently destroyed, such action would only add to the elements of discord already in the country. If religion and government were to be associated, endowment was inevitable. This great principle was now at stake, and Parliament had no moral competence to deal with it. The Government would therefore appeal to the country on the question of ecclesiastical endowments.[48] The Prime Minister's speech pleased his colleagues but it failed to state a definite policy. Within the course of a few days, however, Disraeli outlined a policy to Lord Cairns, the Lord Chancellor and an ardent Irish Protestant. It amounted to nothing more than standing for the *status quo,* for he stated that " while the present condition of the Irish Church might be susceptible of improvement, still it was the first duty of the State to acknowledge and maintain the religious principle in an established form." This statement was later accepted by the Cabinet and became the Conservative program in regard to the Church of Ireland.[49]

The Establishment in Ireland was henceforth in the forefront of political discussion. There was little doubt that the fall of the Irish Church was impending.

REFERENCES AND NOTES

1. Morley, John, *Life of William Ewart Gladstone,* vol. 1, pp. 159, 160.
2. Lathbury, D. C., ed., *Correspondence on Church and Religion of William Ewart Gladstone,* vol. 1, pp. 2, 3.
3. *Ibid.,* pp. 3, 6.
4. *Ibid.,* p. 7; Morley, *op. cit.,* p. 87. " Occasional Offices " are offices or duties that a priest performs on certain occasions, such as the blessing of the candles for the feast of the Purification, February second, or the blessing of the children. *Manual of Prayers,* published by John Murphy Co. (New York, 1910).
5. Gladstone, W. E., " The Place of Heresy and Schism in the Modern Christian Church," *Nineteenth Century,* vol. 36 (1894), p. 165.
6. Dr. Manning and Mr. Gladstone had been together at Oxford where Gladstone succeeded Manning as President of the Union, the University Debating Society. Their close friendship dates from 1843 and

continued until 1851 when Manning was converted to Catholicism, after which for ten years their friendship was broken, mainly because their extensive correspondence up to that time had been on Anglican subjects. Their friendship was renewed in 1861. Purcell, E. S., *Life of Cardinal Manning, Archbishop of Westminster,* vol. 2, pp. 161, 162; Hutton, Arthur W., *Life of Cardinal Manning,* pp. 7, 35; Morley, *op. cit.,* p. 310.

7. Lathbury, *op. cit.,* pp. 9, 10.

8. Gladstone, W. E., *The State in Its Relations with the Church,* p. 225.

8. Lathbury, *op. cit.,* p. 14.

9. *Ibid.,* p. 15.

10. *The State in Its Relations with the Church,* p. 252.

11. Lathbury, *op. cit.,* pp. 15, 16.

12. *Edinburgh Review,* vol. 69 (1839), pp. 231–280.

13. Lathbury, *op. cit.,* pp. 17, 18. Dr. John Keble was a noted Churchman and writer of the eighteenth century, whose sermon on "National Apostasy," July 14, 1833, was, according to Cardinal Newman in his *Apologia,* the opening of the Oxford movement.

14. Lathbury, *op. cit.,* p. 18.

15. Morley, *op. cit.,* p. 270. Maynooth College had been established under an Act of Parliament in 1795. Its grant had been increased in 1807 to £13,000, but later it was reduced to £9,250.

16. Throughout the book, his ideal of religious unity was evident. On such grounds he opposed all grants to any religious body but the Established one, principally because such grants caused religious dissension. *The State in Its Relation with the Church,* pp. 251–253.

17. Morley, *op. cit.,* p. 278.

18. Gladstone, W. E., *Gleanings of Past Years,* vol. 7, p. 120.

19. *Hansard,* 3d ser., vol. 79: 521–554, 1043. Apr. 11 and 18, 1845.

20. *Ibid.,* vol. 81: 592. June 16, 1845.

21. Lathbury, *op. cit.,* pp. 149, 150.

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24. Morley, *op. cit.,* vol. 2, pp. 141, 142, written to his lifelong friend, Sir Robert Phillimore.

25. *Hansard,* 3d ser., vol. 178: 384–392. Mar. 28, 1865.

26. *Ibid.,* 423, 425. Mar. 28, 1865.

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28. *Hansard,* 3d ser., vol. 178: 1204; vol. 179: 194. Apr. 28 and May 12, 1865.

29. *Ibid.,* vol. 182: 973–1008. Apr. 10, 1866.

30. *Ibid.,* 1009, 1010, 1014, 1015, 1070. Apr. 10, 1866.

31. Paul, Herbert W., *A History of Modern England,* vol. 3, pp. 106–108, 112.

32. *Ibid.*, p. 113.
33. *Hansard,* 3d ser., vol. *72*: 1012–1016.
34. Monypenny, W. F., and Buckle, George Earl, *Life of Benjamin Disraeli, Earl of Beaconsfield,* vol. 5, pp. 5–7.
35. *Hansard,* 3d ser., vol. 190: 1288. Mar. 10, 1868.
36. *Ibid.*, 1288–1314. Mar. 10, 1868.
37. *Ibid.*, 1473–1477. Mar. 12, 1868.
38. *Ibid.*, 1516–1517.
39. *Ibid.*, 1501.
40. *Ibid.*, 1642–1663. Mar. 13, 1868.
41. See Chapter III. This Commission sat from Nov., 1867 to July, 1868.
42. *Hansard,* 3d ser., vol. 190: 1353–1393. Mar. 10, 1868.
43. *Ibid.*, 1546. Mar. 12, 1868.
44. *Ibid.*, 1604, 1605. Mar. 13, 1868.
45. *Ibid.*, 1663–1675.
46. *Ibid.*, 1740. Mar. 16, 1868.
47. *Ibid.*, 1740–1771.
48. *Ibid.*, 1771–1792.
49. See Disraeli's letter to Lord Derby, Mar. 19, 1868. Buckle, *op. cit.*, vol. 5, p. 18.

CHAPTER V

The Preliminaries Leading to the Disestablishment Bill

No sooner had the leader of the Liberal Party committed it to a program of radical reform of the Church of Ireland, than there began in the House of Commons a political battle over the question. Although Disraeli was willing to grant that the Irish Church was a very unpopular institution, yet the party which he led had always strongly defended the Establishment. The Disraeli Ministry, in power from February to December, 1868, were not all of the same mind concerning the Irish Church. One section of the Cabinet, headed by Gathorne Hardy and supported by Lord Derby from without, denounced Gladstone's proposals for disestablishment and disendowment as sacrilege; another section, in which Lord Stanley was prominent, was ready to accept disestablishment as inevitable but wished to see a liberal treatment of the disestablished Church and the use of surplus revenues for its benefit.[1]

Gladstone's resolutions concerning the Church of Ireland

Gladstone, having decided by March 16, 1868, on a bold policy concerning the Church of Ireland,[2] pursued it with dauntless courage. Within a week of his memorable address, the Liberal leader brought forward on March 23, 1868, a motion on the subject of the Irish Church. His policy was embodied in three resolutions: "First, That in the opinion of this House, it is necessary that the Established Church of Ireland should cease to exist as an Establishment, due regard being had to all personal interests and to all individual rights of property. Second, That subject

to the foregoing considerations, it is expedient to prevent the creation of new personal interests by the exercise of any public patronage, and to confine the operations of the Ecclesiastical Commissioners of Ireland to objects of immediate necessity, or involving individual rights, pending the final decision of Parliament. Third, That an humble Address be presented to Her Majesty, humbly to pray that, with a view to the purposes aforesaid, Her Majesty would be graciously pleased to place at the disposal of Parliament Her interest in the temporalities of the Archbishoprics, Bishoprics, and other Ecclesiastical Dignities, and Benefices in Ireland, and in the custody thereof." [3]

The Queen was greatly perturbed by Gladstone's proceedings and expressed the hope that the Government would avoid raising a religious issue. Disraeli expressed his opinion of the resolutions in a letter to Lord Dartmouth, who sent to him a memorial from the Conservatives, expressing confidence in his leadership. The Cabinet, however, decided to meet Gladstone's motion and to go into Committee on his resolutions. Lord Stanley was appointed to move a temporizing amendment.[4] The real debate began March 30, 1868.[5] A peculiar solemnity was imparted to the occasion by the clerk reading certain sections of the Act of Union, in which the establishment of the United Church of England and Ireland is declared to be "an essential and fundamental part of the Union." He also read the Coronation Oath in which the Sovereign declared her determination "to maintain and preserve inviolably the settlement of the United Church of England and Ireland." [6]

Naturally Gladstone took the lead in defence of the resolutions. He endeavored to vindicate his consistency and asserted that the Church of England would be benefited and not injured by the disestablishment of the Irish Church. His chief argument was that the time had come for putting an end to the Established Church of Ireland, so far as it

was a national establishment of religion; that henceforth no public money should be given for the maintenance in Ireland of any religious denomination whatever; and that this principle should apply equally to the *Regium Donum* in support of the Presbyterian community in Ireland, and to the annual grant of money made to the Roman Catholic College of Maynooth. Speaking with the air of a man who felt power within his grasp, although he was not in the responsible position of a minister in charge of a bill, he proceeded to sketch the outlines of such a measure as should be brought in if his resolutions were agreed to, a measure which would entirely put an end to the privileged condition of the Irish Church, and which would divert its revenues to national uses. Care would be taken that vested interests should be liberally compensated but that none should be created.[7]

Lord Cranborne,[8] speaking on the same day, had no difficulty in showing that the erratic leader whom Lord Stanley and the Conservative Party followed was not to be trusted in a case like the present. As to predicting the Prime Minister's probable course, "I should as soon," said Lord Cranborne, "undertake to tell you which way the weather cock will point tomorrow." He felt that the question could not be dealt with by the present Parliament. All they could do was to pave the way for a great national decision.[9]

Gladstone's second and third resolutions were attacked in an amendment moved by Lord Stanley, which proposed that any proposition tending to the disestablishment and disendowment of the Irish Church should be reserved for the decision of a new Parliament. This amendment revealed the real point at issue by conceding that "considerable modifications in the temporalities of the United Church in Ireland might appear to be expedient." Stanley criticized the resolutions because they told absolutely nothing as to what was to be done with the funds of the Irish Church. The

real question for thirty years had been, "What do you mean to do with the endowments of the Church, if you alter in any way their application?" The passing of mere resolutions would not bring peace to Ireland. He believed that the question of the church was really a land question. Back of the land question was the education question, and behind all lay the permanent difficulty of reconciling the Protestant idea of administrative and social arrangements with the totally different notion of both which was held by the Catholics. He urged strongly that the decision of the question ought to be left to a new Parliament.[10] The faction of the Cabinet led by Gathorne Hardy disagreed with Stanley's opinion, which Hardy described as the "cry of a whipped hound." [11]

Mr. Baillie Cochrane, member for Honiton, speaking in behalf of the landlords, said that as a landlord he had supported the Presbyterian Church, and while he did so, he did not regard, nor had he ever heard anyone in Scotland regard such support as a badge of servitude. Furthermore, he thought that Catholic opinion seemed to point in the same direction. He referred to a "Tenant Right Society," which held a meeting in Meath, November, 1865, at which the Bishop read the following resolution: "The one, the great, the sole question for Ireland is the land question. Other agitations, such as that of the Established Church are gotten up for party purposes." He also quoted from the Catholic weekly, *The Tablet,* of May, 1867, as follows: "We are of those who think that the notion of settling the Irish Church question by simply confiscating the property of the Church and abolishing its privileges is a foolish notion, and ought to be opposed as foolish, futile and wrong." [12]

When the debate was resumed a few days later, the defense of the resolutions was taken up by Mr. Lowe, member for Calne and later Chancellor of the Exchequer in Gladstone's Cabinet. He ridiculed the idea of danger in

the voluntary system. "Ireland is," said he, "par excellence, the country of voluntaryism. What can be stronger evidence of that principle than a country in which seventy-eight per cent of the people pay every shilling that is raised for their religion?" As for the "garrison argument," that is, the maintenance of the Established Church in order to keep up Protestant influence, he remarked that if England was strong enough to enforce a great injustice on a majority, she need not worry about the minority if that injustice were removed. "You may do your utmost," said he, "but you can not save the Irish Church. . . . The Irish Church is founded on the dominant rights of a few over the many, and shall not stand. . . . It is kept alive with difficulty and expense in an ungrateful climate and ungenial soil; it has no leaves; it bears no blossoms; it yields no fruit." He finished with the words, "Cut it down, why cumbreth it the ground?" [13]

Disraeli in his speech of April 3 directed his barbed shafts against Cranborne and Lowe in particular, but his effort lacked the sincerity of a genuine defense. He did not believe there was an Irish crisis, although he recognized that the condition of Ireland, on the whole, was not entirely satisfactory. "We are asked," he said, "to take a vast and violent step, because the people of Ireland are suffering under a moral, or, as it has been styled, a sentimental grievance. . . . One cannot despise sentimental grievances, but when in consequence of sentimental grievances, we are asked to make very material changes, I think every candid mind will agree that we ought to proceed with caution." He felt that it was impossible for anyone to grapple with the real points before the House, unless the atmosphere were cleared of such nebulous illusions as "conquered races" and "badges of conquest." The Church of Ireland was no more a badge of conquest to the Roman Catholic Church of that country than the Church of England was to the Dissenters in Eng-

land. Besides, the Normans had conquered England as well as Ireland, the only difference between the two conquests being that while the conquest of Ireland was only partial, that of England was complete. The Protestants of Ireland also surely had sentimental feelings that ought to be regarded. It was no doubt an evidence of liberalism to attack an ecclesiastical institution, yet he had never found that the consequences of such an attack were favorable to liberty or enlightened feeling. "I view with great jealousy," said this Churchman of Jewish descent, "the plunder of a Church, because, so far as history can guide me, I have never found that churches are plundered except to establish or enrich oligarchies." At the close of his speech, he insisted on the vital importance of the union of Church and State, and concluded by saying that so long as he remained Prime Minister, he would oppose with all his ability the attempts that the Liberals were making to destroy the Church of Ireland.[14]

Gladstone, at the close of the debate, explained that he had gathered from the speeches that the policy of the Government was some form of endowment for the Roman Catholic Church, but if that was their intention, it was too late. The division on the motion to go into Committee showed a majority of fifty-six votes in favor, whereas Stanley's temporizing amendment was lost by sixty votes. From that moment disestablishment was certain, although what form it should take was still uncertain.[15]

Disraeli's efforts to resist change

The Easter recess followed immediately. Before Parliament met again, the Prime Minister wrote to one of his constitutents a letter in which he spoke of "an extreme faction in the Church of very modern date" which was plotting to destroy the connection between Church and State, and was "in open confederacy with the Irish Catholics for this pur-

pose." Since he held that the dissolution of the union between Church and State would cause a greater revolution than a foreign conquest, he intended to use all of his energies to defeat the measure, and he hoped that the Church of England would collect its powers for resistance. Disraeli appealed to Bishop Samuel Wilberforce of Oxford to take the lead in such resistance.[16] Wilberforce immediately set to work and took a prominent part in a great Church meeting of protest, which was held at St. James Hall, London, on May 6, 1868, in which the churchmen of all parties joined.[17] The purpose of this meeting was to support the "United Church of England and Ireland" and to condemn Mr. Gladstone's resolutions proposing the disestablishment and disendowment of the Irish Church. The Archbishop of Canterbury presided. There were in attendance the Archbishops of York, Armagh and Dublin and a goodly number of Dukes, Marquises, Earls, Bishops, Archdeacons and lower clergy, as well as many laymen. Lord Derby was unable to attend, but he sent a letter, saying that he thought it was of paramount importance to maintain the union between Church and State and that the measure now proposed by Gladstone was not only impolitic but unjust.[18] Lord Shaftesbury, a member of the Irish Church, also wrote a letter in which he stated his position on the Bill. "I am a zealous supporter of the present Government, and I feel in common with thousands of my brethren expressing the same religious and political opinions, that there is no necessity to disestablish the Protestant Church in Ireland, that doing so would not in the slightest degree ameliorate the present grievances we are laboring under. On the contrary, we should continue to lament the day when such an act would be passed into law by a British Parliament." [19]

In opening the meeting, Archbishop Tait said that he wished to disclaim any party views, and that he felt that the principle of the union of Church and State was one which

approved itself to persons of all political opinions as well as to persons of all sections of the Christian Church. He also felt that any one who thought that this attack on the Irish Church would not affect the Church establishment in England was quite mistaken.[20]

Bishop Wilberforce of Oxford made an address upholding the Establishment and its endowments, most of which he said were received since the Reformation. He also stated that a careful analysis of the petitions presented recently against the continuance of the Irish Establishment showed that in ten parishes, the Roman Catholic population in the smallest of which was 1200 persons, one parish gave one signature, four contributed two signatures, three contributed three signatures and one contributed seven signatures. "This," said he, "is the extent of the bitter feeling against the Established Church, of which we hear so much." [21]

The Lord Mayor of London proposed the first resolution which was to the effect that the union of Church and State ought to be maintained, as affording the best means for the promotion of religion and morality among the people.[22] The Bishop of London proposed the following resolution: "That this Meeting believes that the proposed disestablishment and disendowment of the Irish branch of the United Church of England and Ireland, would be a serious blow to the Reformed Faith in the United Kingdom, and would materially affect the supremacy of the Crown, and would directly tend to promote the ascendancy of a foreign Power within Her Majesty's dominions." After proposing the resolution, he said that most of the persons he met who talked so glibly about disestablishment and disendowment had no idea what the words meant. He then quoted Dr. Chalmer's definition of an Establishment—"That there is an Establishment whenever the government of a country had secured endowments to a body of religious teachers, on condition that they shall teach the people." Before agree-

ing to disestablishment, one should think of the poor peasant families who were encouraged to leave their homes and to settle in Ireland with the distinct understanding that they would be able to worship God as they pleased.[23] The Archbishop of York in supporting the resolution said he saw no grounds for partial disendowment except for two reasons, either because the endowment was excessive, or because some one else had a better claim to it. So far as he could gather, neither of these claims had been made in regard to Ireland. The present movement did not seem to him to be a proposition to adjust better the revenues of the Irish Church. He closed his speech by saying, "We have been told that the thing is settled, and that we had better not throw our grappling-irons over the edge of a sinking ship, lest we go down with it. But we shall not go down just yet." [24]

The Dean of Westminster proposed "That this meeting earnestly desires that all changes in the Irish branch of the United Church of England and Ireland which upon fair examination shall be found necessary, shall be carried out, but it believes that the measures now contemplated will work great wrong, and will utterly fail of their professed object—namely, the securing of good will and harmony throughout Ireland." He declared that as a Liberal he wished to defend the Church and to maintain the tradition held by Pitt, Lord Grey and Earl Russell, who held that nothing was more important to the well-being of the country than the preservation of the connection between Church and State, and who, whenever they proposed changes in the Irish Church, assumed those changes to be based upon the principle of an Establishment in that country. When he spoke of the great changes necssary in the Church of England and of Scotland as well as in Ireland, he was hissed down.[25] Lord Chelmsford spoke of the seeming indifference with which the disestablishment of the Irish branch of the Established Church was viewed in England. But he warned the audience not

to look on the question passively, for "the very citadel of the Church was being assaulted, and if they allowed the enemy to enter, it would be hopeless to attempt to defend what remained." [26] In closing the three hour meeting, the Archbishop of Canterbury said he believed that it would strengthen in a remarkable degree the great principle of the union between Church and State.[27]

That the meeting did not accomplish what was desired seems evident from the fact that Archbishop Longley, Dean Stanley, Bishop Tait, Bishop Wilberforce and Lord Shaftesbury all warned Disraeli that the meeting was a failure.[28] But Disraeli continued to be optimistic.

The large majority by which Gladstone carried his motion against the Stanley amendment had placed the Ministry in a difficult position. Lord Derby and the Queen advised against resignation, and Disraeli agreed. Before the Easter recess was over, Disraeli had another audience with Her Majesty and they decided that if the Government were defeated on Gladstone's first resolution, Parliament should be dissolved.[29]

Parliamentary discussion of Gladstone's resolutions

When Parliament reconvened after the Easter recess, Gladstone's first resolution was taken up. Mr. C. N. Newdegate of Warwickshire raised the cry of "No Popery," which Lord Hartington deprecated. Spencer Walpole denied the existence of a religious grievance, and Disraeli endeavored to justify the statements in his recent letter, in which he had spoken of a combination of Ritualists and Romanists.[30] In a division on April 30, Mr. Gladstone's resolution was carried by a majority of sixty-five.[31] The Prime Minister accordingly proposed the adjournment of the House till the following Monday, May 4, in order that he might consult with the Queen.[32] On the same day, Gladstone wrote, "We have made a step, nay a stride, and this

stride is on the pathway of justice and peace, and of national honor and renown." [33] The situation was difficult for all parties. The Government were in a minority on an important question, and had no prospect of regaining their position. When Disraeli offered the resignation of the Government, the Queen declined to accept it, but expressed herself willing to dissolve Parliament as soon as the state of public affairs permitted it to be done.[34] In the meantime, the Ministers held office till the arrangements for the registration of voters under the new Reform Act should be completed.

On May 4, 1868, the Prime Minister explained to the House why the Government were opposed to the disestablishment of the Church of Ireland. The first reason was that it would be a retrograde policy, calculated to revive and continue animosity, that it ran counter to that policy of concession to classes and creeds which had long been pursued. In the second place, it would endanger property throughout the Kingdom, and impair the security of religious freedom and civil rights by tampering with the Royal Supremacy. Furthermore, it would dissociate the principle of religion from the principle of authority and by so doing degrade and weaken authority. And lastly and chiefly, if that principle were adopted, there would seem to be nothing to prevent its application to England, sooner or later, and the consequence of this would be very serious. In regard to the other resolutions upon the Irish Church, Disraeli said that he disapproved also of the second and third, which were only corollaries of the first.[35]

Disraeli's plan for dissolving Parliament, or tendering his resignation, if the Queen so desired, made the situation uncertain.[36] This, however, did not check Gladstone in his course, and on May 4, he recommended the adoption of a Suspensory Act to provide for the suspending of ecclesiastical appointments. This he knew would have the effect of

distinctly declaring the mind of this Parliament, and of preparing the way for the action of the next. He told the House that it was his opinion that they had advanced much too far into the interior regions of the Irish Church question to leave the idea open to any one that there would be any advantage in postponing or retreating from it now.[37] Three days later he proposed that the suspension should last only until August 1, 1869, that it should extend to episcopal appointments, to capitular appointments, which in Ireland were known as sinecures, and lastly, to such parochial appointments as were not in private patronage.[38]

The second resolution, which was equivalent to obtaining Royal consent before bringing in a Suspensory Bill, passed the House on May seventh.[39] The third resolution, by which Her Majesty was requested to place at the disposal of Parliament her interest in the temporalities of the Irish Church, was then presented and passed.[40] Then a fourth resolution providing " that when legislative effects shall have been given to the first Resolution respecting the Established Church of Ireland, it is right and necessary that the Grant to Maynooth and the Regium Donum be discontinued, due regard being had to all personal interests," was introduced and it was agreed upon by a majority of thirty-five.[41]

To show that he was in earnest, Gladstone then went a step further. On May 14, 1868, he asked for leave to bring in a Suspensory Bill, which was granted.[42] In discussing the Bill, he explained that it was the imperative duty of the House to prevent the unnecessary prolongation of inevitable embarrassments by putting a stop to the growth of new vested interests in the Irish Church. If the Suspensory Bill were passed, he said, it would at least prevent the public evils and the public waste which would be caused if new appointments were made to parishes where there were few or no Protestants.[43] There were some objections to the Bill, in particular the question of whether it was just to suspend

the entire operations of the Church, and to condemn it by anticipation, when the ultimate verdict of the country expressed in the new Parliament might be different. It might be best, therefore, to postpone legislation until the country had had an opportunity of declaring its opinion on the subject.[44] Disraeli said the Suspensory Bill was the first step to disestablishing the Church of England. The House might think it applied only to Ireland, because the Church established there was different, but he did not agree. He felt quite sure that it would disturb the social system of the whole country.[45] Notwithstanding his pronounced opposition, the Bill passed first reading.[46] A week later it was read a second time and committed for June 5. The House then adjourned.[47]

The Irish Church question was again taken up by the House on June 5. Col. F. S. Greville-Nugent, Irish member for Westmeath, proposed that an extra clause be added to the Suspensory Bill, providing that the right of any person to share in a future Maynooth grant or Regium Donum should be subject to the pleasure of Parliament.[48] This clause was agreed to. A week later the amended Bill was taken up for consideration. Mr. John Vance, an Irish Protestant member for Armagh City, repeated the Conservative arguments that the Bill paved the way for the confiscation of property in both the English and Irish branches of the Church, that it was a violation of the rights of property, of the Act of Union, and of the Coronation Oath, and that it proposed to confiscate three-fifths of the property of the Irish Church without providing any equivalent foundation to support it, or any counterbalancing public advantage.[49] Some further discussion took place, but on June 16, the Bill passed the Commons and was then sent to the House of Lords.[50]

On June 23, 1868, Lord Littleton, in the House of Lords, presented a petition signed by a number of the clergymen of

the Church of England, in favor of the disestablishment of Church of Ireland. He declared that he did not propose to go into the merits of the question to which the petition related, but said that he thought it was worthy of attention since it was signed by a great number of beneficed clergymen. Among those who signed it were Professors Kingsley, Maurice, and Jowett and the Head Masters of Winchester, Harrow and Rugby. There were also many rural Deans, Fellows and Tutors of Oxford and Cambridge. The signers knew that they placed themselves in an unpopular position by sending in this petition, but they felt that no other course was open to them, if they wished justice for Ireland.[51]

The Suspensory Bill occupied the attention of the House of Lords for some time. Lord Granville, Liberal Leader in the Lords, in discussing the Bill, said that his objections to the Irish Church were very simple. In the first place, it had entirely failed to fulfill the objects for which it had been established, and in addition it was an injustice to the great majority of the people in Ireland. In defense of his first objection, he quoted Hallam to the effect that in the reign of George II, the whole system of constitutional law in Ireland appeared to exist exclusively for the purpose of maintaining the privileges and property of a small eccesiastical body. Every one, Granville said, who paid any attention to the subject, was convinced that Queen Elizabeth established the Church to give spiritual consolation and religious instruction to the masses of Ireland. He pointed out that according to the last census (1861), the Protestant population of Ireland was 700,000, and the Catholic population 4,500,000. The statistics on the membership of the Established Church in the various dioceses of Ireland were sufficient to show that the object for which the Church was established had not been realized. Not only lawyers and statesmen but also prelates of the Established Church had favored disestablishment. Bishop Warburton had said:

"The alliance between Church and State is not irrevocable. It subsists just so long as the Church thereby established maintains its superiority of extent, which when it loses to any considerable degree, the alliance becomes void." Bishop Whately had written: "I freely acknowledge that the State has a right to take away the property of all, or of any corporations, indemnifying, of course, those individuals actually enjoying the revenues, whenever the utility of the institution renders their abolition important to the public welfare." [52]

Granville ridiculed the assertion that disestablishment would shake the principles on which the security of private property was based. On the contrary, he believed that the security of property in Ireland would be strengthened to an enormous degree, by taking away property that had been a source of discontent to the masses, and had led to an assertion of rights on the part of the minority. Such was the cause of the very much embittered relations between landlord and tenant. As to the argument, that one could not deal with the Church in Ireland without injuring the Church in England—this, too, was absurd. It would be an advantage, he argued, for the Church in England not to be constantly mixed up with the Irish Church and to be made with it the object of combined attacks. He admitted that the Act of Union had a peculiarly sacred character, but he denied that any Act of Parliament was binding to all eternity. In closing he said, "Would you have the people of Ireland believe that the House of Lords, composed almost exclusively of landlords and Protestant clergy, is the only obstacle to the realization of that which they have so long and so ardently looked forward to? . . . Some of you who deprecate disestablishment know that it must come sooner or later. I would therefore ask you to consider Lord Palmerston's words 'The great mistake of all governments not only

in this country, but everywhere, is to be too late in the measures they adopt.' "[53]

Earl Grey, in speaking on the Bill, stated that notwithstanding the general excellence of the ministers of the Church of Ireland, it seemed to him impossible to believe that maintaining it in its present position would promote peace and good will. The fierce dissensions it occasioned and the violent animosities it created would only tend to foster ill will in the minds of both Protestants and Catholics. He regretted very much that the Government waited until the outrages of Fenianism had stirred up public opinion, for it might lead the Irish people to think violence had something to do with the obtaining of the boon they were now considering. As for himself, he rather favored the dividing of property between the great religious bodies of Ireland, because the secularization of the Church property might strike a blow at the security of the Church of England. He believed also that the Bill before the House was not the right way of proceeding. It was crude and partial, and would only impede a fair settlement of the question.[54] The Earl of Clarendon, a member of the Established Church, expressed the opinion that until the evils which existed in Ireland were remedied, the right arm of England would be paralyzed. When it was admitted, then, that the Irish Church really constituted one of these evils, why not make a vigorous effort to do away with it? He hoped that the House of Lords would not be deterred from dealing with the Irish Church, by the argument that the two churches were like Siamese twins, and that although it was agreed that one of the twins was paralyzed, it must not be mended for fear of injuring the other. He closed by declaring that the disestablishment of the Irish Church was inevitable, however long it might be delayed.[55]

The Archbishop of Canterbury was strongly opposed to the Bill. He believed that disestablishment was bound to

affect all existing Establishments, and that by sacrificing the Irish Church, they were only offering a strong inducement to the Fenian Brotherhood to redouble their agitation.[56] Bishop Tait of London had no objection to making changes in the Irish dioceses, but he, too, was against disestablishment. "If you rashly destroy an ancient institution without any reason assigned, except that you wish to establish religious equality, you will find in the end that this is impossible in Ireland." The Bishop gave it as his opinion that the great reason for the failure of the Irish Church was that it had become the meanest instrument of English misrule. He asked them to read the statements of Primate Boulter, or Edmund Spencer, or Dean Swift. In Archbishop Boulter's correspondence one would find that if a clergyman lost his character in England, a place was provided for him in Ireland. That was the rule and not the exception. He felt that bringing forward this measure at this time was an unstatesmanlike proceeding, for if the Irish people would be satisfied only with independence, certainly this measure was very inexpedient.[57]

One of the most striking and effective speeches was that of Lord Derby, who, although he had retired from the leadership of his party, showed all of his old fire. He began by saying that if length of possession gives a title to private property, prescription reaching far beyond the Reformation ought to insure the possessions of the Church of Ireland, unless the old maxim *nullum tempus occurrit ecclesiae* must be negatived. Besides, such confiscation as was now proposed would apply in principle to any corporation as well as to the Church. So far as he could see, the only inequality under which the Roman Catholics of Ireland now labored was inequality of possessions. They had everything they wanted, except their neighbor's goods. He warned the Lords that it was a dangerous principle to lay down, that equality in possessions was a necessary require-

ment for social and political equality. To show that Gladstone was walking on the verge of a precipice, he quoted Lord Plunkett, a strong advocate of Roman Catholic claims: "I find the Protestant establishment a part of the State for three hundred years; it has embedded itself in the Constitution, and is so amalgamated with it that it can not be overturned without overthrowing the State itself, and the valuable privileges, rights and liberties which we enjoy." In closing his speech, Lord Derby declared that there was a growing desire among the lower classes of Ireland to consider not what they were to gain, but what they were to lose by a measure of this kind; that many felt that at present they were living in friendship with their Protestant fellow-countrymen, and that they had no cause of complaint against them. In his opinion, therefore, the House of Lords ought to reject this hasty measure.[58]

The Archbishop of Armagh made one of the most effective speeches for the Irish Church. He alleged that if the Lords passed this Bill the injury done to the parishes would be very considerable. In many cases the clergy were trustees for the distribution of charitable funds, and by the step now proposed the whole parochial machinery would be brought to a standstill. He reminded the Lords that the Irish Church had 700,000 churchmen as against 100,000 in 1672, according to an estimate given by William Petty,[59] which certainly did not look as though the Church had failed in its mission. These 700,000, moreover, made up the most enterprising portion of the population. As to the argument that all the possessions of the Church were in the hands of one-eighth of the population, that too was an error. At the Reformation, the great wealth of the Irish Church was in the monasteries. They had one-half the tithes of the country, and large and extensive landed possessions. When the monasteries were destroyed, tithes as well as lands were distributed among Henry VIII's friends and courtiers. The

Bishops who conformed remained in their sees. According to the account given by Sir John Davies,[60] the vicarages were so poorly endowed that ten of them were often united and many of these livings were not worth more than forty shillings a year. He concluded his remarks with these apt words: "Do not imagine that if you overthrow the Irish Church there will not be an extensive emigration of Protestants who are the most loyal of her Majesty's subjects. . . . If you allow this, you will find Ireland so difficult to manage that you will have to depend on gibbet and sword; and you will regret having no longer the aid of the churchmen and the church, which kept the Irish people together and made English law, English authority, English freedom and an English Bible loved and respected."[61]

Bishop Samuel Wilberforce thought that the charges made against the Church in Ireland could also be made against the Government in Ireland. The whole thing was an attempt to buy off assassins, and tended to deprive Ireland of the most intelligent and energetic class in the country. The Marquis of Salisbury also opposed the bill. He called it a measure of spoliation, which was as sweeping as human ingenuity could devise, and was based on principles which would apply equally to England and to Wales. So far as he was able to judge, no case of unfulfilled trusts had been made out. The only reason for the confiscation of the Church funds seemed to be that others coveted them. There had been also many elaborate attempts to prove that the Fenians had been the cause of the whole movement, but the fact was the Fenians had attacked the landlords and not the Church.[62]

During the course of the debate, Lord Littleton quoted from a letter which he had received, to show that there were a considerable number of Irish clergymen who favored disestablishment. "As for myself," he said, "I still believe in the theory of Church and State, but no theory will stand

against an extreme case, and I believe Ireland is an extreme case." [63]

One of the last important speeches on the Suspensory Bill was made by the Lord Chancellor, Lord Cairns. It was an exhaustive speech in which he expressed the feeling of Protestant Ulster. The whole agitation, he said, was the outcome of a political difficulty. The land, and not the Church, was the really important question. The disestablishment of the Irish Church would not conciliate the Irish Catholics but only offend and irritate the loyal part of the Irish people. "Disestablish the Irish Church and you will produce two classes of absentees, which have hitherto not existed; one class, the bishops and clergy, who have been the most useful of the resident gentry, and the other, that class of laymen, who having no longer the services of their church, will have every temptation to cease to live in Ireland. Besides, it might prepare the way for the overthrow of the Church in England, for it certainly drew an unreal distinction between corporate and private property." In his opinion, such a bill would not only be an attack on property but an attack on the supremacy of the Crown, on the interests of Protestantism, and, finally, on the peace of Ireland.[64]

On June 29, 1868, the Lords rejected the Suspensory Bill by a majority of ninety-five.[65] The defeat had been anticipated and in view of the coming general election was looked upon as unimportant. This resistance of the Lords merely added an element of spice to the battle. Parliament was prorogued on July 31. The fate of the Irish Church and of the Conservative Ministry was to be decided at the General Election in November.

Appointment of a Royal Commission

Although the Lords had disposed of Gladstone's Suspensory Bill, the question of the Irish Church continued to hold an important place in the minds of both politicians and

churchmen. Fortunately for those who desired up-to-date information on ecclesiastical affairs in Ireland, there appeared the report of the Royal Commission which had sat from November 17, 1867, to July 27, 1868.[66]

After the Fenian outrages in Manchester in the autumn of 1867, the Disraeli Government had appointed a Royal Commission to inquire into the condition of the Irish Church, with a view to reforming and cutting down its income and removing some anomalies which were obviously sources of weakness to it. The Commission presented the results of their investigation in a report of more than 600 pages. The volume is a mine of interesting information on the condition of the Irish Church. Among the Commissioners were Henry, Earl Stanhope (the historian), William, Earl of Meath, Thomas, Viscount DeVesci, Sir Joseph Napier (ex-Lord Chancellor of Ireland), Colonel Robert Alexander Shafto Adair, Evelyn Philip Shirley, Edward Howes (one of the English Ecclesiastical Commissioners), George Clive (Member of Parliament), and John T. Ball (then Vicar General of the Province of Armagh).[67]

The Commissioners were directed to inquire and report upon the whole organization and property of the Church in Ireland: as to its archbishoprics, bishoprics, dignities, benefices, corporations and the revenues of the same; as to its several united and separate parishes and parochial districts; as to its churches and chapels; as to the number of members of the Established Church inhabiting the parishes or districts attached to the churches; as to the property and emoluments vested in, and administered by the Board of Ecclesiastical Commissioners for Ireland, which had been constituted by the Church Temporalities Acts of 1833–34;[68] and, lastly, as to whether any improvement should be made in the administration or distribution of the revenues, or in relation to the offices, which were to be inquired into and reported upon. They interpreted the terms of the order as

confining them to proposals looking to reform but not disestablishment.[69]

The matter that appeared to them most in need of reform was the inadequate remuneration of many of the incumbents of the parishes, and the disproportion between payment and work. It was in order to remedy this state of affairs and to obtain a fund for this purpose, that the Commissioners proposed to reduce the number of bishops, of the cathedral capitular bodies, and of the cathedral dignitaries. The estates, thus abolished, were to be vested in ecclesiastical commissioners and the surplus of all property vested in them was to be made applicable at their discretion to the augmentation of benefices.[70]

They calculated that the area of the entire island was 20,701,346 acres. The whole of this was divided into parochial divisions. According to the Census of 1861, members of the Irish Church numbered 693,357. From this Census, the Commissioners reckoned that the parochial districts numbered about 1478; of which 181 had a church population of above 1000; 1096 with a population varying from 1000 to 40 persons; 110 with under 40, but not less than 20; 91 with less than 20. According to their report there were two archbishoprics, 10 bishoprics, 30 corporations of deans and chapters, 12 minor corporations connected with the Cathedral, 32 deaneries, 33 archdeaconries, 1509 benefices and more than 500 stipendary curates.[71]

The property of the Church, according to the Commissioners, consisted of tithe rent-charges, lands let to tenants, and lands and houses in the occupation of ecclesiastical persons. The value of the last mentioned property the Commissioners had no means of estimating, except what was furnished by the valuation for local taxation, and such estimates were below the actual value. The net income from the tithe rent-charge and from lands let to tenants was calculated to exceed £580,000 per year. Of this amount, more

than £113,000 per year was administered by the Board of Ecclesiastical Commissioners for Ireland, such as building and repairing of churches and providing requisites for worship. About £19,000 per year belonged to capitular bodies and was applied by them toward maintaining the cathedrals and their services. The residue supplied the income of the bishops, dignitaries, and beneficed clergy.[72]

The Commissioners made suggestions and recommendations for improvement in the internal management of the Church and of its property. They recommended that all parishes having a Protestant population of less than forty should be suppressed. They also recommended a reduction of the Episcopate to one archbishop and six bishops, accompanied by diminution of their salaries; the dissolution of all cathedral corporations, except in the cities where the residences of the bishoprics were to be located, with the abolition of cathedral dignitaries and officers in the dissolved cathedral corporations. The four bishoprics whose abolition they advocated were Meath, Killaloe, Cashel and Kilmore. They recommended that all bishops should receive £3,000 a year, with an additional £500 when they attended Parliament. The Primate was to get £6,000 and the Archbishop of Dublin, if the office was continued, £5,000.[73]

The recommendations of the Commission had no effect. Gladstone himself said that they failed because they had undertaken a hopeless task. They had undertaken to reform that which was irreformable, for the Established Church of Ireland had entirely outlived its day.[74]

English Church Congress

During the period of the electoral campaign, when the political leaders were informing the public on the Irish question, the Churchmen were giving serious consideration to the future of the Establishment in that unhappy land. In September, 1868, Archbishop Trench of Dublin invited the

English Church Congress to hold its annual meeting in Dublin. The Archbishop of Dublin and the Dean of Cork, Dr. Magee, took a leading part in the planning of this Congress, where it was hoped a large number of Irish Churchmen and their English friends would meet, as a challege to their critics.

When the Congress met in St. Patrick's Cathedral, disestablishment seemed imminent. The friends of the Irish Church, both in England and in Ireland, assembled in great numbers. The most noted figures from England were Bishop Wilberforce of Oxford, Dean Nelson of Chester, Dean Goodwin of Ely, Dr. Hugh McNeile, later Dean of Ripon, Mr. Beresford Hope and Professor Henry Plumptree of Cambridge University. Nearly all of the Irish bishops were present.[75]

During the course of the Congress, the Dean of Cork made a fierce attack on the Crown lawyers, who had defeated his efforts to induce the Archbishops to convene their Provincial Synods. He told how within the nine or ten months during which the Irish Church had been under attack, nearly every religious body in Great Britain had met to discuss its future, whereas there had been no meeting of the Irish Church itself. The clergy had not met in Convocation, Provincial Synods or even Diocesan Synods to offer their views to the bishops. The natural inference from such silence was that the bishops and clergy of Ireland now thought that their life interests were secured, and that there was no need of taking part in the discussion.[76] Aside, however, from awaking the Irish clergy to activity, this Congress had little effect.

Disraeli believed that the Church of England, if united, would play a considerable part in determining the result of the general election, and to secure active support, he feverishly distributed the ecclesiastical patronage of the Crown. In a short time, he filled five sees, including London and

Canterbury, three or four deaneries, including St. Paul's, and a number of canonries, a divinity professorship and some important parochial cures.[77] It was a difficult task, ignorant as he was of the leading clergy, and beset by many advisers who wished to enlighten him. In other respects the results of his appointments may have been satisfactory, but so far as aiding the Irish Church was concerned, they were a failure. There was no united front of all the parties in the English Church to resist Gladstone's policy.

The electoral campaign of 1868

Gladstone promptly opened his electoral campaign and explained the new Irish policy of his party. During October, 1868, he spoke in rapid succession at Warrington, Ormskirk, Liverpool, Southport, Newton, Leigh and Wigan.[78] He mentioned such questions as Parliamentary reform and public expenditures, but naturally his main theme was the Irish question. He announced that the Liberal party proposed to disestablish the Irish Church because it aggravated social evils and political difficulties. In reply to the criticism that the Liberal party had rushed at the Irish Church problem without waiting for the report of the Royal Commission, he stated that in his opinion, the subject of the Report had nothing to do with the case. It was the duty of the Commission to consider how the Establishment should be managed, supposing it were to continue as an Establishment, whereas he advocated that the Church should be disestablished. Besides, the present Government had waited for this Report, and yet in his address to the electors of Buckinghamshire, the Prime Minister did not make a single reference to it. Gladstone emphatically denied also that the Liberal proposal was made in the interests of the Roman Catholics; it was only a question of civil justice.[79] A Liberal Government, he also stated, if returned to power, would proceed with disestablishment with every consideration that equity could give

in the execution of their design. They would pledge themselves to abolish along with the Establishment every other grant that involved the State in responsibility for any particular religion, and to establish no other Church and no other form of religious teaching in its place. In terms of pleasant mockery, he answered the accusation that he was going to ruin and destroy the constitution. He reminded his hearers that within the period of his own memory, the constitution had been utterly ruined and destroyed eight times: in 1828 by the repeal of the Corporation and Test Acts; in 1829 by admitting Roman Catholics to Parliament; in 1832 by the Reform Bill; in 1846 by free trade; in 1849 by the repeal of the navigation laws; in 1858 when the Jews were allowed to sit in Parliament and in 1867 when another Reform Bill was passed. He warned the electors that the present House of Commons had no power to decide the question, and that the responsibility for carrying out the Liberal plan for disestablishment of the Irish Church rested on their votes.[80]

The various Liberal candidates in their election speeches made explicit declarations on the question of the Irish Church but they did not dwell on it at such length as did their leader. During most of his public life, Bright had had a keen interest in the question of Ireland. While he doubted the wisdom of the Liberal party in attacking the Irish Church issue in 1868, he nevertheless supported the plan in his election address to his constituents at Birmingham on October 26. He reminded them of his views on the subject of Ireland—namely that the Church and Land questions were at the root of Irish discontent. He also explained that in dealing with the Irish Establishment they were not touching religion but a political institution, which had wholly failed to secure any good object.[81] Sir William Harcourt gave energetic support to Gladstone's policy. His activities in the press and on the platform led to a request from

Gladstone that Harcourt should write some pamphlets on the Irish Church question, which could be used for campaign purposes. This he did. Harcourt was also industrious in canvassing electors. He stated in one of his speeches that he had visited 5,000 Oxford homes in pursuit of votes. He made a number of campaign speeches including one at a Working Men's Meeting at the Social Science Congress at Birmingham on October 4, in which he urged the electors to support Gladstone's policy of Irish Disestablishment, rather than Disraeli's indefinite proposal for concurrent endownment.[82]

George Goschen was also active in urging support for the Liberal program. In an address before the electors of London, October, 1868, he set forth very clearly the political principles of the Liberal party. Concerning the Irish Church issue he said: "The cry has been raised of 'Protestantism in danger,' and religion involved against the cause of justice. But the conscience of the country has not been led astray and its common sense refuses to believe the Protestantism, Religion, or the Constitution can possibly suffer from a simple act of justice and national reparation. The adhesion to the policy of Mr. Gladstone by the great body of dissenters, those staunch upholders of Protestantism, is a sufficient comment on the hollowness of the cry."[83] Throughout the campaign, the Liberals emphasized the question of the Irish Church. "Was or was not the Church of Ireland to be disestablished?" was the paramount issue to be decided by the electors.

In contrast to the activity of the Liberals was the almost total lack of interest shown by the Conservatives on the question of the Irish Church. Disraeli, having been assured by his party Committee that there was no cause for alarm, contented himself with one address to the electors of Buckinghamshire, his constituency. In this address, he spoke of the settlement of the Reform question on broad lines, of a

foreign policy which would justly establish England's influence, of the successful expedition to Abyssinia and the strengthening of the naval and military forces as grounds on which the Conservatives deserved support. In view of the tactics of the Liberal party, Ireland should have been one of the main topics of his address. But he mentioned merely that the Government had baffled the Fenian conspiracy and had pursued a policy of conciliation. He then made an appeal to the Protestantism of the country by declaring that the movement for the disestablishment of the Church in Ireland had been fostered by the Papacy to further its own ambitious ends. He stated also that his Government would offer uncompromising resistance to the Liberal proposal of disestablishment.[84] As a matter of fact, such was the only course open to him since he could not unite his Cabinet on his proposal of concurrent endowment, which meant endowment for all the churches of Ireland.

The working classes eagerly accepted the Liberal assertion that the extension of the franchise by the Reform Bill of 1867, while passed by the Conservative Government, had really been the work of Gladstone and Bright. They were also captivated by the cries of religious equality and justice and by the motto of the Liberal party, "Be just and fear not." In the election in November, the Liberals were generally successful in the boroughs with the exception of Lancashire, where the Church of England was strong and where there also existed an active dislike to the Irish Church proposals. Scotland and Ireland both gave large majorities for the Liberals.[85]

The result of the election left no doubt of the answer of the country to the Liberal appeal. Their party majority numbered one hundred and twelve. As soon as the results of the election became known, Disraeli resigned office. On December 9, 1868, Gladstone became Prime Minister.[86]

The victory of Gladstone and the Liberals in the election

meant that the efforts to disestablish the Church of Ireland would be continued. In March, 1869, a Bill providing for disestablishment was introduced in the House of Commons.[87]

A conference of the Irish Clergy

While the parliamentary struggle over the Irish Church was going on, a conference of archbishops, bishops, clergy and laity of that Church was held at Dublin in April, 1869.[88] It met in the Ancient Concert Room, Brunswick Street. The Primate of Ireland, who was President, explained how for ten years the Irish Prelates had made most strenuous exertions to obtain the reestablishment of the Irish Convocation. During Lord Palmerston's administration, several memorials had been presented through the Home Secretary to Her Majesty, asking Her to issue writs so that the Irish Convocation might assemble. But nothing was accomplished. When Disraeli came into office, another memorial for the same purpose had been presented and it met a similar fate. As soon as Gladstone became Prime Minister in 1868, the clergy had again sent a unanimous memorial to Her Majesty, praying that the Convocation might assemble, but the wish had not been granted. The Primate explained that he made this announcement because a considerable portion of the public and many of the clergy were under the impression that more strenuous exertions ought to have been made to have the Convocation assembled, in order that the Church might put its case before the public in a formal way.[89] After repeated failures of petitions to the Government to call a Convocation, the Prelates of Ireland had had a consultation, and agreed that the present meeting should be assembled by invitations sent out to all parts of Ireland, so that the feelings of the Church of Ireland might be publicly made known. The Primate wished it to be clearly understood that this was an assembly met for the specific purpose of considering the Bill on Disestablishment, of pointing out its injustice and

protesting against it; that being done, they intended to dissolve. He explained, too, that their purpose was not to compromise, nor to amend, nor to throw out any suggestions concerning Mr. Gladstone's Bill, for they condemned it utterly, from first to last, in principle. They regarded it as a confiscation, as assailing the prerogative of the Crown, as dealing unjustly with the property of the Church, and finally, as injuring all property by destroying what was the best of all titles, that of prescription.[90]

This meeting set forth its views in a series of resolutions which are interesting as expressing the mind of the clergy and laity of the Church of Ireland in regard to disestablishment. In the first place, the Congress recorded their earnest protest against the Bill for disestablishment and disendowment. They considered it the duty of all "to resist the efforts now being made to overthrow an institution so calculated under God's blessing to promote social happiness and true religion among us." To them Gladstone's Bill represented "a dereliction of the duty of a Christian State, an abandonment of the supremacy of the Crown, and a subversion of the rights of property secured by the fundamental laws and international compact." The proposed alienation of Church property seemed to these Irish Churchmen to be an injustice unparalleled in the history of constitutional government.[91]

It was recommended that a committee of clergymen and laymen be appointed for the purpose of supplying the defenders of the Church in Parliament with information and otherwise assisting them in their opposition to the Bill.[92]

The conference specifically objected to the clauses of the Bill having to do with vested interests and for placing Church property in the hands of commissioners appointed by the Crown. Nor did these ardent Churchmen neglect to point out that "the wrongs proposed to be inflicted on our Church are the more apparent when contrasted with the

terms of compensations offered to the Roman Catholic College of Maynooth and the Presbyterian bodies, more especially as these compensations are proposed to be paid out of the property of our own Church." [93]

Before the conference adjourned, it was decided that it was not to be dissolved, but so long as the struggle continued in Parliament over the Bill, it should be liable to be called into action by the Primate of Ireland and the Archbishop of Dublin.[94]

The clergy of the Established Church, both in England and Ireland, give attention to the plan before Parliament in 1869 to settle the Irish Church question. A number of conferences of the Bishops took place for the purpose of exchanging views and drawing up, if possible, some plan of resistance to Gladstone's disestablishment scheme.

At one of these conferences, held in February, 1869, there were present the Archbishops of Canterbury, York, Armagh and Dublin, and the Bishops of London, Durham, St. Davids, Oxford, Bangor, Norwich, Ely, Gloucester, Bristol, Chester, Rochester, Hereford, Peterborough, Meath, Limerick, Derry and Litchfield.[95] During the course of the discussion, the Archbishop of Dublin said he was convinced that Gladstone wished the clergy to destroy themselves. The Archbishop, of course, was opposed to this, and he recommended that the clergy fight the disestablishment Bill. On the other hand, the Bishop of Peterborough felt that the Irish Church would get more by compromise than by fighting. He thought that it might as well make up its mind to grant "what was lost." [96] But the Bishop of Limerick expressed the most radical view. He declared that the fate of the Irish Church was sealed, and that he, therefore, had no intention of fighting to the bitter end or of making the Church issue a political contest.[97] Other points brought up included the possibility of amendments in case the Bill passed second reading, the danger of getting a worse

measure in the event of Gladstone's present proposal being defeated, and also whether it would be to the interest of the Church for the clergy to fight the Bill.[98] Bishop Wilberforce reminded his colleagues that they must act as statesmen, and that if they were instrumental in defeating the Bill by having the Lords throw it out, they would injure not only the Church but also the House of Lords.[99]

Although no definite conclusions were reached on the Irish Church question, the Archbishop of Canterbury expressed it as his opinion that some change in the Irish Establishment was inevitable and even though the Bishops thought Gladstone's plan a bad one, they had better vote for it and then try to amend it.[100]

Meanwhile, the fight in Parliament for the disestablishment and disendowment of the Church of Ireland was being bitterly waged by the politicians.

REFERENCES AND NOTES

1. Buckle, *Life of Disraeli,* vol. 5, p. 12.
2. See Chapter 4.
3. *Hansard,* 3d ser., vol. 191: 32, 33. Mar. 23, 1868.
4. Buckle, *op. cit.,* vol. 5, pp. 20, 21. In this letter, he insisted that there was a crisis in England rather than in Ireland, because the Liberals were aiming to destroy the sacred union between Church and State, which had hitherto been the security of their religious life.
5. *Hansard,* 3d ser., vol. 191: 470. Mar. 30, 1868.
6. *Ibid.,* 469, 470.
7. *Ibid.,* 470–495. Mar. 30, 1868.
8. Lord Cranborne, who on the death of his father in April, 1868, became the Marquis of Salisbury, was a rival of Disraeli for the leadership of the Conservative Party. He served as Secretary of State for India in the Disraeli Ministry in 1866 but broke with his Chief over the Reform Bill of 1867. Buckle, *op. cit.,* vol. 5, p. 22.
9. *Hansard,* 3d ser., vol. 191; 532, 539, 544.
10. *Ibid.,* 495, 507.
11. Buckle, *op. cit.,* vol. 5, p. 21; Hardy, Gathorne, 1st Earl of Cranbrook, *A Memoir with Extracts from His Diary and Correspondence,* ed., Alfred E. Gathorne-Hardy, vol. 1, pp. 265, 266.
12. *Hansard,* 3d ser., vol. 191: 520–522. Mar. 30, 1868.

13. *Ibid.*, 728, 730, 735, 737, 748. Apr. 2, 1868.
14. *Ibid.*, 893–924. Apr. 3, 1868.
15. *Ibid.*, 940, 941. Apr. 3, 1868.
16. Buckle, *op. cit.*, vol. 5, p. 25.
17. Wilberforce, Reginald G., *Life of Samuel Wilberforce*, vol. 3, p. 247; Davidson, R. T., *Life of Archbishop Tait*, vol. 2, p. 3.
18. *Report of the Great Meeting in Support of the United Church of England and Ireland*, p. 7.
19. *Ibid.*, p. 8.
20. *Ibid.*, p. 9.
21. *Ibid.*, p. 15.
22. *Ibid.*, p. 10.
23. *Ibid.*, pp. 17–20.
24. *Ibid.*, pp. 22, 24, 26, 27.
25. *Ibid.*, p. 28.
26. *Ibid.*, pp. 31, 32.
27. *Ibid.*, p. 32.
28. Wilberforce, *op. cit.*, vol. 3, p. 245; Buckle, *op. cit.*, vol. 5, pp. 27, 28.
29. Buckle, *op. cit.*, vol. 5, pp. 27, 28.
30. *Hansard*, 3d ser., vol. 191: 1504–1515, 1521–1533, 1632–1643. Apr. 28 and 30, 1868.
31. *Ibid.*, 1675–1679.
32. *Ibid.*, 1679. Apr. 30, 1868.
33. Morley, *op. cit.*, vol. 2, p. 247; Gower, Lord Ronald, *My Reminiscences*, vol. 1, p. 304.
34. *Hansard*, 3d ser., vol. 191: 1742. May 4, 1868. Disraeli makes this statement in a speech.
35. *Ibid.*, 1701–1708. May 4, 1868.
36. Morley, *Life of Gladstone*, vol. 2, p. 248.
37. *Hansard*, 3d ser., vol. 191: 1713, 1714.
38. *Ibid.*, 1891–1894. May 7, 1868.
39. *Ibid.*, 1898.
40. *Ibid.*, 1901.
41. *Ibid.*, 1905–1941. May 7, 1868.
42. *Ibid.*, vol. 192: 314–322. May 14, 1868.
43. *Ibid.*, 720–729. May 22, 1868.
44. *Ibid.*, 754, 777. May 22, 1868.
45. *Ibid.*, 794–796.
46. *Ibid.*, 323. May 14, 1868.
47. *Ibid.*, 809–813. May 22, 1868.
48. *Ibid.*, 1197, 1203. June 5, 1868.
49. *Ibid.*, 1529, 1530. June 12, 1868.
50. *Ibid.*, 1697. June 16, 1868.
51. *Ibid.*, 1917, 1918. June 23, 1868.
52. *Ibid.*, 2032–2035. June 25, 1868.

53. *Ibid.*, 2035–2048.
54. *Ibid.*, 2048–2070.
55. *Ibid.*, 2083–2089.
56. *Ibid.*, 2089–2091.
57. *Ibid.*, 2122–2129; vol. 193: 203–210. June 25 and 29, 1868.
58. *Ibid.*, vol. 192: 2091–2114. June 25, 1868.
59. Sir William Petty was a noted economist of the seventeenth century.
60. Sir John Davies was a noted Irish writer, poet and lawyer. In May, 1606, he became Attorney-General for Ireland and became interested in the abuses of the Irish Church.
61. *Hansard,* 3d ser., vol. 193: 58–68. June 26, 1868.
62. *Ibid.*, 79–90, 193–210. June 26 and 29, 1868.
63. *Ibid.*, 90–93. The letter was from a gentleman who had signed the petition to the House of Lords. He stated that many of the Irish clergymen were in favor of disestablishment but in most cases they were afraid to express their views publicly. *Hansard,* vol. 192: 1917, 1918, June 23, 1868.
64. *Hansard,* 3d ser., vol. 193: 267–283.
65. *Ibid.*, 298–300. The Archbishop of Canterbury, the Archbishop of York, the Archbishop of Armagh, twelve other English bishops and three Irish bishops voted against the Bill. The Bishop of Chester and the Bishop of St. Davids were absent from the division. Gladstone considered the Bishop of St. Davids one of the most powerful intellects among the English bishops. Morley, *op. cit.*, vol. 2, p. 248.
66. *Report of Her Majesty's Commission on the Revenues and Condition of the Established Church in Ireland* (1867–68).
67. *Ibid.*, preface, p. iii.
68. *Ibid.*, preface, p. iii, introduction, p. v; See Chapter 2.
69. *Ibid.*, introduction, p. v.
70. *Ibid.*, introduction, pp. vii, viii, ix.
71. *Ibid.*, schedule v, pp. 105–562, introduction, p. vi.
72. *Ibid.*, appendix, no. 29, pp. 169–209; no. 30, pp. 209, 213; no. 31, pp. 214–229; no. 32, pp. 230–233; no. 33, pp. 234–243; introduction, pp. xiv, xv, xvi. The Board of Ecclesiastical Commissioners in Ireland was constituted under the provisions of the Church Temporalities Acts. These Acts provided for four ex-officio members—the Lord Primate of all Ireland, the Lord High Chancellor of Ireland, the Lord Archbishop of Dublin and the Lord Chief Justice of Ireland. The other members of the Board were four bishops nominated by the Crown and three other "proper and discreet persons," two of whom were to be nominated by the Crown and one by the Archbishop of Dublin and Armagh. 3–4 William IV c. 37, 6–7 William IV c. 99, s. 25.
73. *Report of Commission on Revenues,* introduction, pp. vii, xviii, xix.
74. *Hansard,* 3d ser., vol. 194: 2114. Mar. 23, 1869.

75. Macdonnell, *Life of Magee,* vol. 1, p. 192.

76. *Ibid.,* pp. 192–194.

77. Among his appointments were the following: Canon McNeile of Liverpool was appointed to the Deanery of Ripon; Atlay of Leeds to the Bishopric of Hereford; Magee, Dean of Cork, to the Bishopric of Peterborough; Jackson from Lincoln to the Bishopric of London; Tait, Bishop of London, to the Archbishopric of Canterbury. Samuel Wilberforce, Bishop of Oxford, who hoped to get the Bishopric of London, was greatly disappointed. It seems that Bishop Wilberforce was suspected of having Catholic tendencies, as three of his brothers and his brother-in-law, Manning, had joined the Catholic Church. After 1868, Wilberforce resumed his former intimacy with Gladstone and became unsparing in his criticism of Disraeli. Buckle, *op. cit.,* vol. 5, pp. 57–71.

78. *Times,* Oct. 13, 15, 18, 21, 22, 24, 1868.

79. *Times,* Oct. 13, 1868. Speech delivered in the Town Hall, Warrington, Oct. 12.

80. *Times,* Oct. 24 and 22. Speeches delivered at Hengler's Circus, Wigam, Oct. 23, and in the Town Hall at Ormskirk, Oct. 21.

81. Bright wrote to a friend in Ireland as follows: "The Liberal Party is not in a good position for undertaking any great measure of statesmanship. Some Whigs distrust Mr. Gladstone, and some who call themselves Radicals dislike him. He does not feel himself very secure as leader of a powerful and compact force. We want a strong man with a strong brain and convictions for work of this kind, and I do not see him among our public men." O'Brien, R. Barry, *John Bright, A Monograph,* p. 74.

82. Gardiner, A. G., *Life of Sir William Harcourt,* vol. 1, pp. 177, 178, 186; *Times,* Oct. 5, 1868.

83. Elliot, Hon. Arthur, *Life of George Joachim Goschen, First Viscount Goschen,* vol. 1, p. 97. Goschen had been a Conservative but had lost sympathy with party policies, especially since he felt that national economy ought to be one of the chief aims of a statesman. Gladstone's decrease in expenditures while in the Exchequer drew Goschen to the Liberal banner. *Ibid.,* pp. 101, 102.

84. Buckle, *op. cit.,* vol. 5, p. 88.

85. Gardiner, *op. cit.,* vol. 1, p. 188; Emerson, G. R., *William Ewart Gladstone, Prime Minister of England,* pp. 248, 249; Holland, Bernard, *Life of Spencer Compton Cavendish, Eighth Duke of Devonshire,* vol. 1, p. 71.

86. Holland, *op. cit.,* p. 71; Morley, *op. cit.,* vol. 2, pp. 251–253.

87. *Hansard,* 3d ser., vol. 194; 412. Mar. 1, 1869.

88. *Report of the Irish Church Conference, April, 1869.* As was mentioned in Chapter I, the first Irish Convocation convened by the Crown was in James I's reign, and the last was in 1713 in Queen Anne's reign. Thereafter, no Irish Convocation had been held until the one just mentioned.

89. *Ibid.*, p. 12.
90. *Ibid.*, p. 13.
91. *Ibid.*, pp. 15, 35.
92. *Ibid.*, p. 68.
93. *Ibid.*, p. 128.
94. *Ibid.*, p. 107.
95. Wilberforce, *op. cit.*, vol. 3, p. 283.
96. *Ibid.*, p. 284.
97. *Ibid.*, p. 285.
98. *Ibid.*, pp. 286, 287.
99. *Ibid.*, p. 288.
100. *Ibid.*

CHAPTER VI

The Bill for the Disestablishment of the Irish Church, March 1, 1869, to July 22, 1869

The work aimed at and carried through by the Disestablishment Bill was, as Lord Morley well describes it, not only the entire separation of the Protestant Episcopal Church in Ireland from the Church of England and the Government of the United Kingdom, but was also the "winding up of a great temporal estate, the adjustment of many individual and corporate interests, and the distribution of some sixteen millions of property among persons to be determined by Parliament, where rival claims were defended by zealous and powerful champions influenced by the strongest motives, sacred and profane, of party, property and Church." [1]

The task confronting Gladstone when he became Prime Minister was very difficult. The case of the Irish Church had been fully examined in Parliament. Never was Mr. Gladstone's incomparable legislative skill to be more severely tested than in the fight for disestablishment in Ireland.[2] The Prime Minister did not delay in attacking the task which he had set for his party. He saw the Queen, December 13, 1868, and explained the condition of the Irish Church.[3] Then he set to work to revise his first draft of the plan for its disestablishment. His imperious disposition was shown in his dealings with the Irish clergy. He made overtures to the Archbishop of Dublin and others, in the hope that they would bow to his wishes, but overtures made with an axe in hand are never inviting, and the authorities of the Irish Church, when they saw the motley array of forces against them—Scotch Presbyterians, English and Welsh Nonconformists and Irish Roman Catholics, "the three corps

d'armée" as Gladstone called them,—decided that they would wait to see what was offered before they entered into any negotiation. What they most feared, disestablishment, was irrevocably decreed. The interests threatened were too intimate and too sacred in their eyes to give room for any temporising. Archbishop Trench of Dublin declined an interview. Archdeacon Stopford of Meath was the only clergyman who gave Gladstone the benefit of his ability and experience.[4] At Granville's request, the ablest Irish ecclesiastic of the time, Dr. Magee,[5] Bishop of Peterborough, met the Queen, and presented his view of the impending Irish Church question. On February 12, in writing to Gladstone concerning the interview, the Queen stated that the Bishop suggested the intervention of the English bishops, and also that the pre-Reformation endowments should be given to the Roman Catholics, and those of a later date to the Irish Church. Gladstone in his reply to the Queen, the following day, made it clear that he could not entertain negotiations founded on such a basis, since the proposal was the very thing that Parliament was elected not to do, and the country expected the Government to redeem their election pledges.[6] He knew, as he frankly expressed it in a letter to Archdeacon Stopford, that "his adversaries were at the mercy of his friends"; and all they could hope for was some mitigation of the sentence.[7]

Gladstone's explanation of the Irish Church Bill

The Irish Church Bill was introduced by the Prime Minister on March 1, 1869, in a speech which, for its oratorical brilliance, its subtlety, clearness, and comprehensiveness, had scarcely been equalled in any of his previous addresses.[8] In the words of Lord Morley, "The speech in which this arduous scheme was explained to Parliament was regarded as Mr. Gladstone's highest example of lucid unfolding of complicated matter. It is hardly an excess to say that since Pitt,

the author of the Act of Union, the author of the Church Act was the only statesman in the roll of the century, capable at once of framing such a statute and expounding it with the same lofty and commanding power." [9] Gladstone himself spoke of the measure as the most grave and arduous piece of legislation that had ever been laid before the House of Commons. He laid down as an essential condition of the measure that it should put an end to the establishment and the public endowment of the Church of Ireland; that it should be thorough but liberal, and that it should be final. He declared that so long as the Establishment lived, the painful and bitter memories of ascendancy could never be effaced. He spoke also of the eminent clergy connected with the Church of England, who were persistent in their resistance to the Irish Church proposals. In Ireland, too, there was but one clergyman, the Bishop of Down, who boldly took his stand on behalf of the principle of settlement and accommodation.[10] Gladstone then proceeded to explain the character of the Bill and all its leading provisions.

The first provision of the Bill was to vest the property of the Church, subject to life interests, in a new Ecclesiastical Commission to be appointed for ten years. This body was to become effective on January 1, 1871. On the same date, the union between the Church in England and that in Ireland was to be dissolved, and all Irish ecclesiastical corporations, courts and laws would cease to exist. Power was to be given to the Queen in Council to recognize any governing body which the clergy and laity of the disestablished Church should appoint.[11] He next proceeded to explain the special arrangements by means of which the vested interests of the parties affected by this great change would have to be settled and adjusted in detail. He pointed out that these arrangements embraced the vested interests of incumbents, which he explained as meaning bishops or any dignitaries of the Church, as well as clergymen having parochial charges; the

vested interests of curates; the case of lay and minor officers; the compensation for advowsons, which were the patronage of church livings; the provisions in regard to private endowments; and the provisions in regard to churches, glebe houses and graveyards. There were also arrangements in regard to the settlement of the *Regium Donum* and the Maynooth Grant, for the disposition of the commutation of the tithe rent-charge, and for the sale of Church lands by the Commissioners.[12]

Then he took up in detail the arrangements he had just enumerated. Beginning with the vested interest of the incumbents,—the bishops, dignitaries and beneficed clergy—he stated that they were to receive a certain annual income from the property of the Church so long as they performed the duties belonging to their respective offices. How much the annuities should be was to be determined by the Ecclesiastical Commissioners. It was not proposed to interfere with the bishops and other clergy in the enjoyment of their freeholds, or the prerogatives which they held as landed proprietors.[13] To this principle there were certain exceptions. Such churches as had fallen into ruin should no longer be regarded as the appanage of the incumbent; and the peerage rights and privileges of the bishops in the House of Lords were to terminate at once, because they were not permanent members of the House. They had a title to sit in the House, but this was an intermittent title which placed them in a certain legal rotation, and which brought them there for a session, and then dismissed them. The Archbishop would sit for one session, then a Bishop for two or three sessions.[14] They were obviously placed there to represent the Established Church. Their seats would accordingly lapse with disestablishment. A special provision was to be made for the curates. Some would be dismissed with a gift and others would be employed for two years with compensation, to be paid by the bishops who employed them.[15]

Private endowments dating from 1660 and after, not including churches and glebe houses, were not to be interfered with. That date was chosen because the Presbyterian congregations were within the limits of the Established Church until then, and the Restoration was really the period at which the Church of Ireland had assumed its present character.[16] As to the churches, they were to be handed over to the governing body of the disestablished church, with as little difficulty or embarrassment as possible, it being the intention that that body would maintain them for the purpose of worship, under the voluntary plan, or else remove them. When it was desirable that a church should be maintained as a national monument, as was the case with St. Patrick's and twelve others, a small allowance was to be taken from the ecclesiastical fund for their maintenance.[17] It was difficult to decide what was the best procedure in regard to the glebe houses. The funds for building them had come from various sources, including parliamentary grants and private endowments, but a greater part of the cost had been supported by charges deducted from the incomes of the clergy. He decided that the glebe houses ought not to be regarded as marketable commodities. There had been expended on them £1,200,000, but their annual value was not more than £18,000, and there were charges against them amounting to £250,000. He recommended, in view of these conditions, that the glebe houses should be given to the voluntary Church organization, on condition that this body should pay the charges against the properties and that they should also have the privilege of purchasing the glebe lands adjacent on fair terms.[18] The graveyards connected with the churches should go with the churches, but those not connected with churches should be assigned to overseers of the poor.[19]

Gladstone next approached the difficult question of the Maynooth Grant and the *Regium Donum*.[20] The recipients of the *Regium Donum* were to be compensated in the same

manner as the Irish bishops who were to be deprived of their endowments. He did not think that the grant to the College of Maynooth and to certain Presbyterian colleges should be immediately taken away, as this would be harmful to many individuals, and would be injurious to the cause of education. He proposed that the endowments in question should be converted into a fourteen-year annuity, and be purchased in the interest of the beneficiaries.[21]

The Prime Minister next proceeded to the question of extinguishing the tithe-rent charges. He proposed that this settlement should be extended over a period of forty-five years, unless the proprietors should choose to have this period reduced by one-half. There was to be a compulsory sale of the tithe-rent charges on such terms as would produce a fund at four and a half per cent. The proprietors were to be credited the same as if they had a loan running for forty-five years at three and a half per cent. The tenants of the tithed lands were entitled to the privilege of purchase if they wished to take advantage of the privilege within three years.[22]

Having concluded with the special arrangements concerning vested interests in the Bill, Gladstone proceeded to set forth the financial details of his scheme, as it would appear when fitted to the existing conditions. Concerning the income of the Irish Church, he explained how difficult it was to ascertain the exact amount. The Church Commission of 1867–1868 had reported that the income of the Irish Church was £616,000 a year. Gladstone disagreed with these figures, and set the amount at about £700,000. The tithe-rent charges, the rents in perpetuity and the money invested would total about £16,000,000. This was the sum, according to his calculation, of the capital value of the properties of the Irish Church.[23] The Bill for Disestablishment would dispose of various sums, under the heads already enumerated, to an amount equal to about one-half the total valuation.

There would remain a balance of £7,000,000 or possibly £8,000,000; and the important question was, what should be done with this surplus?[24]

He stated as his first principle that the balance referred to should be devoted exclusively to the benefit of the Irish people, and second, that it should be used wholly for other than religious purposes. He reviewed certain possibilities which had been rejected for good reasons. He said that the Government, after much consideration, had determined to apply the surplus in question to the relief of unavoidable calamities, and to the alleviation of such distresses as were not already provided for under the poor laws of the kingdom. The Government therefore recommended that £185,000 be set aside for the support of asylums for the insane; £20,000 annually for the support of asylums for the feeble-minded; £30,000 annually for training schools for deaf-mutes and for the blind; £10,000 for reformatories; £51,000 for the support of county infirmaries; and £15,000 annually for training schools for nurses;—thus making a total expenditure of £311,000. The Government felt that by devoting the surplus to these ends, great reforms might be promoted. He was confident that the plan proposed would be accepted by the nation as an unselfish method of disposing of the accumulations of the Irish Church.[25]

Arguments for disestablishment

The plan of the Government regarding the Irish Church having been placed before the Commons, the whole question became the subject of careful consideration. The champions of disestablishment considered such a step desirable mainly on the following grounds: first, that the Irish Church was a badge of conquest, the Church of a small minority, and as such had become an incentive to perpetual discontent and disloyalty; second, that the Church was regarded by a large part of the Irish people as a symbol of political as-

cendancy; third, that the wealth of the Church was out of all proportion to its membership; and fourth, that the Church as a religious institution had failed to make use of its opportunities. Let us now examine the discussions *pro* and *con* on each of the principal arguments presented in support of the Bill and in opposition to it.

Naturally a Radical Quaker of the stamp of John Bright, member for Birmingham, would favor disestablishment. In maintaining that the Irish Church was a badge of conquest, he said that the question was not at all whether Establishments were good in themselves or good anywhere, but whether in regard to Ireland it was necessary that the Establishment be removed. He felt that the Church of Ireland was a Church of conquest; not only was it so historically but there was no possible way in which a church of a small minority could have remained for three hundred years established in the midst of a nation of Catholics, except by the power of conquest. It was a gross violation of what the Protestant Reformation meant, namely, the right of individuals to hold their own opinions in matters of conscience. Continuing his argument, he said, " I have said many years ago, and I repeat it now, that by the policy that England has pursued in Ireland, she has made Catholicism not only a faith to which the people cling but she has made it patriotism, for which multitudes are willing to suffer and even to die. It is time that the period of conquest should be ended." [26]

The Earl of Clarendon, former Lord Lieutenant of Ireland, declared that it was unquestionable that the Irish Church was the Church of the minority and a badge of conquest. He had often seen crowds of poor Roman Catholics kneeling in the mud outside a miserable hovel of a chapel, when nearby was a handsome Protestant Church almost unused. " How galled we would be if we occupied a similar position, if we felt that all the honors and dignities of wealth were heaped upon those who administered to 500,000 per-

sons, while those who performed similar functions for four or five millions were deprived of State aid. . . . Every one knew that the Irish Church was considered a badge of conquest, for in no other way could the Church of a small minority be upheld in a Roman Catholic country." [27] Lord Penzance maintained that the only way to decide the question as to whether this Church of the minority was a badge of conquest was for the members of the House of Commons to consider whether, in case there were forced upon them a Church in which they did not believe, a Church whose teachings were opposed to all of their religious convictions, they could say that they did not feel that they were suffering under the greatest injustice? [28]

Earl Grey said that the question had been debated to satiety. He told the House that, having expressed his opinions in both Houses upon this subject during the last thirty-five years, he had little further to say except that he was now, as formerly, " firmly convinced that to maintain the Church of a small minority in exclusive possession of a rich endowment as a State Church, is contrary alike to good policy and to justice." Whether his opinion was right or wrong, he felt that the future maintenance of the Church as it stood was impossible.[29] The Earl of Carnarvon pointed out that the Church of Ireland was not only the Church of a minority but that it was the Church of a very small minority, and that no one would propose to recreate it if it did not exist. Such a situation was not forced upon any other part of the British dominions.[30] This argument was maintained also by Mr. Richard Dowse, member for Londonderry, and a noted Irish judge and Liberal. He claimed that the Church was a Church of conquest, and that it was a gross abuse of language to call a Church which embraced only eleven per cent of the people a national institution. And since the majority of the people were not in favor of concurrent endowment the only way to end the period of conquest was to disestablish and disendow the Church.[31]

Mr. William Charley, member for Salford, was a dyed-in-the-wool Conservative and Churchman, who spoke frequently in Parliament, taking an active interest particularly in ecclesiastical and social questions. He endeavored to refute the contention that the Irish Church had been imposed on Ireland by the English Parliament. The Royal Supremacy had been accepted twice by the Irish Parliament, once in the reign of Henry VIII and again in the reign of Elizabeth. The Irish Supremacy Act and the Acts of Uniformity of 1537 and 1560 had been passed by the Irish Parliament. He thought it was incorrect to say that the Reformation had been thrust upon the Irish people.[32]

Lord Cairns, who had sat as Lord Chancellor in Disraeli's Cabinet in 1868 and who was now the Conservative leader in the House of Lords, was a very ardent High Churchman and a most determined defender of the Establishment. His Lordship ridiculed the argument that the Irish Church was a Church of conquest. He could not understand to what conquest they were alluding. It was conquered because the Pope in 1172 requested Henry II to undertake the conquest. From then until the Reformation, Ireland was in anything but a happy state. So far as he could see, one might find other badges of conquest in Ireland, such as ownership of much of the land by absentee Englishmen, or the fact that the Legislature of Ireland sat in England. Was it the intention of the House to teach the people that everything that savored of the conquest ought to be removed? He could see no logic in such an argument.[33]

Other members of Parliament discussed the question of whether or not the Irish Church was a badge of conquest, but they presented no additional points of view on the subject.

As to the charge that the Church was regarded by a large share of the Irish people as a symbol of political ascendancy, Mr. George H. Moore, Irish member for County Mayo,

ventured to explain Protestant ascendancy. He said that this was not a phrase of the Catholic party at all, but that it was a Protestant phrase. Burke had said that there was "a division of the people of Ireland into two classes,—the one to have all the rights, the property and the education of the people exclusively to themselves, and the other to be the mere hewers of wood and the drawers of water." Since Burke's time, Moore thought the term Protestant ascendancy meant just as much of those advantages as the Irish Protestants could manage to retain for themselves and prevent their fellow countrymen having. As for himself, he felt that it was time to end such an ascendancy.[34]

Mr. E. A. Bowring, member for Exeter, quoted a passage from a pamphlet just published by the Archdean of Tuam, in criticism of the privileged position of the Church. "By observations gathered in an experience of more than thirty years in the ministry of the Church, I have been led to the conclusion that we, her members, for our own sake as well as that of the whole nation would do well to descend, of our own accord from our privileged position of ascendancy and to lay willingly on the altar of our country a portion of that wealth, the abuse of which has been the just occasion of a reproach on our Church, and the very use of which has been to her a source of weakness."[35] Mr. Edward Miall, who represented Bradford, was a strong Nonconformist and journalist, who had much influence in dissenting circles. He maintained that although the idea that the Church was a symbol of political ascendancy might be only a sentimental grievance, nevertheless Ireland had groaned beneath this sentimental grievance, and it had served to exaggerate and inflame the sense of wrong felt by every individual in Ireland.[36]

Sir Roundell Palmer, member for Richmond and formerly Attorney General for Ireland, was a High Churchman, and bitterly opposed to disestablishment. In 1868 when Glad-

stone was forming his Ministry, Palmer declined the great seal and a peerage rather than consent to it. He said that it was quite clear that the political ascendancy of the Established Church was a grievance. The grievance consisted in giving "by State establishment to the Church of a small minority of the Irish people, a superiority of rank and an exclusive right, a right which no other religious body in the country possesses, to have its laws deemed part of the laws of the land, to have courts maintained for the execution of those laws in the association of the Sovereign with the appointment of chief officers—and in the introduction of those chief officers with the highest seats in one of the two Houses of the Legislature." But he himself could not see that disestablishment and disendowment were the best way to remedy the situation. If political ascendancy was the chief cause for dissatisfaction, surely the removal of those distinctions which elevate artificially the political position of this particular Church over the other religious bodies of Ireland would be a sufficient remedy.[37]

Viscount Crichton declared that he could find little sentimental grievance in the belief that the Church was the symbol of ascendancy. Surely this ascendancy did not consist in the existing Penal Laws, for every vestige of them had been swept away, nor in the exclusion of the Catholics from the high offices of State, for a Roman Catholic was then Lord Chancellor of Ireland. In his opinion, the only thing that remained of the Protestant ascendancy was the ascendancy of the Queen in her own kingdom over a foreign potentate, the head of the Roman Church. This ascendancy was not a thing of recent date. From the time of William the Conqueror, the right of the Crown to create bishoprics had been jealously guarded as one of the highest prerogatives of the Sovereign, and he saw no need to change the system.[38]

Supporters of Gladstone's plan concerning the Irish Church also maintained that the wealth of the Establishment

was out of all proportion to its membership. Sir John Gray, member for Kilkenny borough, was the editor of *Freeman's Journal* and a Protestant nationalist. He was a strong advocate of the disestablishment of the Church of Ireland. As a public testimonial of his labors in behalf of disestablishment, he later received a gift of £3,500. In the debate, he showed by numerous examples that Church lands were alienated to members of the Irish Church and their families, or were let out at rent so purely nominal that the lands might as well have been confiscated by the Bishops for the benefit of their descendants. He agreed with one of his friends that the Irish Protestant landlords, clerical or lay, who were defending the Establishment were the great despoilers of that very Church. He sincerely hoped that the House would hear no more about spoliation from the opposition until the Irish landlords announced that they were ready to disgorge at least a small portion of the spoil they had exacted from the Church.[39]

Mr. Gladstone informed the House that the richest church in the world was the Irish Church. But only one-fifth of its original property was left, owing to the enormous waste that had been practised. If four-fifths of the Church property had disappeared " without any charge of robbery, sacrilege, spoliation or plunder, under the kind and friendly hands of the children of the Church," who had had exclusive management of its affairs, and yet the institution continued to be so wealthy as to arouse jealousy, then it would seem to be time that some of its wealth were given up.[40]

Earl Granville also declared that the Irish Church had a larger endowment than any other religious community in the world, and that apart from its endowment, in proportion to its members, it had probably the largest income in the world. In view of what had been done by the Scottish Church, he thought it was absurd to say that the Church of Ireland could not do the same.[41]

The speeches imputing enormous wealth to the Irish Church aroused Mr. William Brodrick, member for Surrey, who said that he would give a few examples of the reputed wealth of the Church, which came under his notice. The Borough of Bandon Bridge had two parishes. The tithes of the larger one were £600. £300 was enjoyed by the parson who labored among a population of 1750; £300 belonged to the Established Church. This parson had no glebe house; he had two curates, and after paying the rent of a house to live in and paying his curates, his income from the parish amounted to the large sum of £20 per annum. This did not seem to him to savor of wealth.[42]

Sir Roundell Palmer reminded the House that it was a great mistake to imagine that the Irish Church remained in possession of the whole of its ancient endowment. For three centuries spoliation had been going on. The endowment had melted away by various processes; appropriation by lay hands, abolition of the agistment tithe, the Composition Act of 1823, the Cess Act of 1834 and the Commutation Act of 1838. So it was idle to talk about the enormous wealth of the Church.[43]

Viscount Stratford de Redcliffe, while granting that the endowments of the Irish Church were a scandal, did not see the necessity of sweeping away the whole Establishment. "Was it," he asked, "wise to pull down the entire fabric, because some of the stones were loose, and some of little use?"[44]

The discussion on the wealth of the Church showed that the Commons had little accurate information on the subject, but that there prevailed the idea that great wealth was in the hands of the Irish Church.

Another reason advanced for disestablishment was that the Church as a religious institution had failed to avail itself of its opportunities, and therefore had no claim for support.

Mr. Bowring, arguing on this line, said that the Church had not converted Ireland into a nation of Protestants and that it was as much a minority Church now as it had been when it first began its work.[45] The Attorney General for Ireland, Mr. Edward Sullivan, who next to the Prime Minister took a leading part in the passing of the Bill in the House of Commons, asked the House why it was recommended by the Irish Church Commission to reduce the number of bishops by four and the number of archbishops by one if it had not been evident that the Irish Church had failed and could not be maintained on any principle of justice. The Established Church had had every opportunity of advancing its position when the great measure for national education had been passed for Ireland in 1831, but it had not used the opportunity, on the miserable pretext that the whole of the Bible was not permitted to be read in the national schools.[46]

The Chancellor of the Exchequer, Mr. Robert Lowe, a rabid anti-Churchman, agreed that the Irish Church had been a failure. During the dreary period in 1692, after the civil conflicts, the Irish Church had a chance to reconcile the two races, but one could search in vain for any evidence of achievements along that line. Nor had the Church remonstrated against any of the harsh penal laws. "It folded its arms and stood by like the English Parliament, while the Irish Parliament worked its cruel will. It thus lost an opportunity of winning to itself, if such a thing were possible, the hearts of the Irish people." Then again, the Church had a chance of redeeming its position and obliterating religious dissension when Mr. Stanley introduced his scheme for Irish education. But the Irish Church stood aloof, and took the attitude of hostility, as Mr. Sullivan had just shown. That seemed to have been its last chance to win the sympathy of the nation, and now only time was needed to bring about its disestablishment.[47]

On the other hand, Sir F. W. Heygate, representing Londonderry, said that the Irish Church was not a failure in every part of the country. In Ulster, for example, the average Church congregation of the Church of Ireland numbered about 540 persons while at the same time the pay of each clergyman did not often exceed £300 per year.[48] Mr. Charley could not see why the Irish Church was considered a failure. The Irish nobility were if anything more Protestant than the English nobility, and eight-ninths of the landowners were also Protestants. As for the educated classes, especially barristers, doctors and professional men, two-thirds of these were Churchmen. The mercantile classes too were Protestant. According to Charley's point of view, this did not make the Irish Church look like a failure.[49] Further defense of the Church was offered by the Cambridge University member, Mr. Spencer H. Walpole, who had served as Home Secretary under Lord Derby. He cited instances to prove that the Church had not utterly failed. Between 1800 and 1869, the number of clergy had increased from 1,200 to 2,200, the benefices from 1,120 to 1,510 the churches from 1,000 to 1,579. The Church too had made some spiritual advances, and he quoted a letter from the Roman Catholic Bishop of Kerry to prove this point. "In every relation in life, the Protestant clergy we find among us are not only blameless, but estimable and edifying; they are peaceful with all, and to their neighbors they are kind when they come into contact with them." Therefore, so far as he could see, it was unjust to say that the Church had been a failure.[50]

The discussion of this point would seem to indicate that the Government were justified in the view that the Church of Ireland had failed as a religious institution and so had forfeited any claim to be considered the Church of the Irish people.

Arguments for the Established Church

However inadequate and unsatisfactory the Church of Ireland may have been to a large share of the Irish population, there were nevertheless, many members of Parliament who were unalterably opposed to Gladstone's program of disestablishment. Such opposition was based on the following arguments: first, that it was confiscation and would endanger property of all sorts; second, that voluntaryism was totally unsuited to Ireland and that the Church would be crushed if this principle were adopted; third, that to disestablish the Church would be contrary to the Act of Union and to the Coronation Oath; fourth, that it would not eliminate discontent; fifth, that it would endanger not only the Church of England but all Establishments; sixth, that concurrent endowment was a better plan.

Any interference with property rights usually arouses opposition. Gladstone's scheme in regard to the Irish Church caused alarm, particularly among the Conservatives, on the ground that it involved confiscation and would thus endanger all property. Furthermore, confiscation of religious property was especially reprehensible. Disraeli expounded this view. In defending the property of the Church on the ground that it was religious property vested in the Church as a corporation and charged with a trust of an unequivocal and unalterable character, he said, " If there be any corporate property the confiscation of which I most dislike, it is Church property. . . . Church property is to a certain degree an intellectual tenure; in a greater degree a moral and a spiritual tenure. . . . But there is another reason why I am greatly opposed to the confiscation of Church property, and that is because I invariably observe whenever Church property is confiscated, it is always given to the landed proprietors. . . . I have not the slightest objection to the landed proprietors of the country increasing their wealth so long as they do it by

legitimate means." He fully expected the landed interest to be examined and challenged at some time, as every other institution was, so it would be a very short-sighted course to increase their property in "sacrilegious spoliation," and to issue from such a scrutiny with the disapproval of their countrymen.[51]

Sir George Jenkinson, member for Wiltshire, pointed out that there were noblemen whose ancestors had received gifts from the Crown for eminent services, and if, therefore, the principle were laid down that "the Crown had given, the Crown may take away," it might establish a principle invalidating the security not only of property thus conferred, but of all property held from Parliament under the Crown. He, therefore, was opposed to the Bill because it would certainly alienate a great number of persons who had been induced to settle in Ireland on the faith of the Act of Union, and also because it was pure confiscation of property.[52] Another view of the matter was presented by Mr. Brodrick, who thought that the whole Bill was framed on the principle of making things pleasant all around. It was a bribe to five classes: first, to the land owners by the remission of the tithe, since they were to be allowed to purchase the tithe rent-charge at twenty-two and a half years' valuation; second, the tenants were offered the bribe of the county cess; third, the clergy were offered a life provision for their vested interests which they might commute, but most of them would no doubt prefer the annuity for the rest of their lives; fourth, the Roman Catholics and the Presbyterians at the rate of fourteen years' purchase would be in the possession of a capital sum seven-tenths of what their grants then were. There was one class, however, utterly forgotten; this was the laity of the Established Church. They were to see their Church "stripped naked and bare and sent out to eke out a miserable subsistence from the voluntary system. Large numbers would be left without the means of spiritual in-

struction or would be massed in centers so large that attendance upon the services would force them to travel from ten to twenty miles. This was not a measure of conciliation, but was a measure of confiscation, of monstrous wrong, and of robbery." [53]

Dr. Ball, representing Dublin University, was one of the Commissioners who in 1867–68 had inquired into the revenues of the Church. He rested his defense of the Church property upon the argument that it was of the nature of private property, devoted originally to the maintenance of an Establishment that was necessary for the religion of the individual and for the exclusion of the voluntary system, the tendency of which was to degrade and to lower the condition of a Church.[54] Sir Roundell Palmer also argued that disendowment simply meant confiscation. He knew that there were occasions and causes which justified confiscation, but he could not feel that this was one of them. Besides, the proposal to take away private endowments would bode ill for the New Voluntary Church Body which was to be created by this Bill. So far as he could see it would certainly mean that there would be no security for the new Church; no security for the property to be left to them; no security for anything which might be saved through the commutation of their life interests.[55] Mr. Walpole considered that Gladstone's proposal was a forcible seizure of all the property of the Church and the abnegation of all prescriptive rights to that property, without any pretense and certainly without any proof that this property had been abused, and therefore ought to be taken over. And he added, "I cannot but see that you are destroying grants, annulling charters, disturbing settlements upon which rest the rights not only of the clergy but of the laity also." [56] Other members who pointed out the dangers of confiscation included Lord Ripon, the Duke of Rutland, Sir Lytton Bulwer and Mr. Holt.[57]

But not all the members of Parliament shared the views of Disraeli and his friends that disestablishment meant confiscation, and the point was debated vigorously. Mr. Dillwyn, Welsh member for Swansea, said that whether the interference with private and corporate property was right or wrong he would not argue, but he knew that it was a fact that the power of the State in this respect was shown every day, and he could not understand why the exercise of that power should be termed spoliation and robbery when applied to the Irish Church.[58] The Chief Secretary for Ireland, Mr. Chichester Fortescue, could see no reason for describing the Bill as confiscation, but he would rather say that the change which diverted these ends to a Church of the minority was an act of confiscation against Ireland, and what the Government intended to do he would term an act of tardy but of righteous restitution.[59] The Attorney General for Ireland also denied that the Bill interfered in the slightest degree with the foundations of private property, for the property of the Church was not vested in the Church as a corporation, because there was no such thing as a Church corporation. The Church consisted of an aggregate of corporations for the easy holding and transmission of property, which, having been granted for the maintenance of a State religion, might without injustice, be removed by the State through its Parliament, whenever the public welfare demanded the adoption of that course.[60]

John Bright, in answer to those who denounced the Bill as sacrilege and spoliation, referred the House to Wycliff's idea on this question: "If the Churches make bad use of their endowments, princes are bound to take them away from them." Bright sometimes wondered how it was that in five hundred years so little progress had been made on the use of endowments, and he could not see why this Bill was called a bill of confiscation.[61] The Solicitor General, Mr. J. D. Coleridge, could not believe that there was any one in the

House who believed that there was any real danger to the stability of property, for the difference between public and private property, and property given for religious uses had long been recognized, beginning with the statutes of mortmain in the time of Henry III and Edward I. To prove his point, he quoted one of the most profound apologists of Christian theology in the eighteenth century, Bishop Butler, who had said: "Property in general is and must be regulated by the laws of the community. . . . We may, therefore, with good conscience retain in possession Church lands or tithes, such as the laws of the State we live under give as property, and there is less ground for scruple here in England than in other countries, because our Ecclesiastical Laws agree with our Civil Laws in this matter. . . . The persons who gave lands to the Church had themselves no right of perpetuity in them, consequently they could convey no such right to the Church." [62]

Of course Gladstone disagreed entirely with the confiscation idea. He held that the State had undoubtedly the power of making, unmaking, modifying, moulding, dispossessing and endowing corporations. But the State could not stand by and not correct gross abuses simply because those who committed them had a legal title or vested interest in the abused property. The State, thus having the power, could not elude the responsibility which waited upon the possession of power, and therefore, public corporations exercising public functions and spending public money were a sort of department of the State, and it was the duty of the State to watch over them. Of course the Church had a right to its property, for the very foundation of the Bill rested on the assumption that there was a legal title; otherwise it would not be necessary to ask the assistance of Parliament to take away property from those to whom it did not belong. Furthermore, the Prime Minister pointed out that property was given to a State Church in the interest of the

nation not that the Church might enjoy it as private property but that they might hold it on condition of duty, and that it was to be applied for all time to the benefit of the entire population. In Ireland what was given to the whole people had been appropriated for the enjoyment of a mere handful, while at the same time it was associated with the memory of all the grievances and bitter misfortunes which had afflicted Ireland. He called to the attention of the House the fact that they were called upon to look for principles of right in the broader aspect, and that it was impossible to escape from their responsibility.[63]

The Opposition also attacked disestablishment on the ground of voluntaryism. The idea that voluntaryism was totally unsuited to Ireland and if adopted, would crush the Irish Church, was debated at length. Dr. Ball disapproved of the voluntary system, first of all because most of the European nations had not adopted it. He felt that the objections to it had been set forth so often, both in the House and in treatises and pamphlets, that there was little use in repeating them except to sum them up. "The voluntary system," he continued, "fails in providing permanence or universality of ministration, and tends to the deterioration of the quality of instruction given. It fails to provide universality of instruction, because no one is the object of its care but those in whom it is peculiarly interested, every teacher confining his attention to his own congregation, and leaving the mass of vice and irreligion which belongs to none, neglected and unnoticed. It fails in securing permanence because in periods of coldness and depression, the voluntary system which depends for its success upon the fervor of those who support it, becomes with them cold, apathetic and inefficient."[64] Besides, the voluntary system was peculiarly bad for Ireland, since the misfortune of that country was that it already had an abundance of theological controversy, and the voluntary system magnified theological differences.

Ireland was also blessed with absenteeism. If the tithe-rent, which was an indirect tax on the absentee and which provided support for resident clergymen, were taken away, there was little reason for supposing that the absentees would provide equivalent voluntary contributions. As for the United States being an example of a perfect voluntary system, he had his doubts as to whether this example would recommend the introduction of the voluntary system in Ireland. He felt that it was a much wiser system that produced definite support for clergy of high education, for he had noticed in Ireland and elsewhere that "persons of refined culture shrink from a system which obliges the exaction of minute payments from humble persons." In conclusion, Dr. Ball said that in his opinion the glory and greatness of England was due to the influence resulting from the union between Church and State.[65]

Mr. Mowbray, member for Oxford University, felt that it was risking a great deal to adopt the voluntary system about which they knew so little. He knew that it had been successful in Scotland, in America and in some of the British colonies. But certainly they could not call the Catholic Church a purely voluntary system, since it combined all the pomp of a dominant hierarchy with all the energy of a voluntary system. And he agreed with Dr. Ball that the Church would be open to many evils if they adopted the voluntary system.[66] The Bishop of Derry stated that the principle of voluntaryism was absolutely unsuited to the soil of Ireland, because the success of a voluntary system did not depend at all on the few rich; it depended largely on the middle and poorer classes, on the many who had just enough to be able to afford something.[67] The Bishop of St. Davids agreed that the voluntary system was unsuited to Ireland.[68] The Earl of Carnarvon said that he had great faith in voluntaryism, but at the same time he did not believe it could perform impossibilities. There was a great difference in volun-

taryism in a new and in an old country. In a new country, it grew with the population and with the wealth, but in an old country everything was out of proportion with voluntaryism and it could not develop to the same degree. Besides, the very fact that the Bill provided that life interests should be given to the clergy crippled the voluntary system for Ireland.[69]

Mr. John Vance, member for Armagh, held that the principle of the voluntary system was contrary to the genius of the Established Church, for the very tolerant spirit of the Church and its indulgence to other sects, as well as the high spirit of its clergy, made them unfit to run a race with other denominations of Protestants for voluntary contributions.[70] The Duke of Rutland emphatically opposed the voluntary system in the Church of Ireland. One could not compare it with the Roman Catholic Church, which exercised much more power over its members, and even if the Catholic Church was able to maintain itself under the voluntary system, he did not see how this would prove that the Protestant Church could do the same.[71] The Duke of Abercorn said that the voluntary system would not work anywhere in Ireland except in Ulster. In the rest of Ireland, the population consisted of only a few scattered Protestant farmers and tradesmen, who, they would soon discover, could not support a church.[72]

On the other hand, something could be said in support of the voluntary system. Bright, in a masterly speech, said that surely the members of the House would not believe such hollow arguments as some members were setting forth. The Catholic Church in Ireland was not discontented because it was not endowed. Besides, he had seen other churches emerge from similar difficulties. In 1843 five hundred ministers in Scotland walked out of their manses, leaving everything. Since that time Scotland had built nine hundred churches, not less than six hundred and fifty manses, five

hundred schools, three theological seminaries, and had raised by the voluntary system an average of £370,000 yearly. Within twenty-five years it had raised £8,000,000 by voluntary contributions. In answer to Dr. Ball's statement that the ministers of voluntary churches were not so high-born as the clergy of the Establishment, Mr. Bright reminded the House that many of the prophets were graziers, that the apostles were fishermen and that their religion was one to which not many noble in birth were called. Probably men of humble birth carried the light of Christianity with more success than those born in great mansions.[73]

An Irish member, Mr. William Gregory, was a staunch advocate of the voluntary system. He said that when he saw in Ireland the offensive placard along the streets, reviling all that was held sacred and reverential by the mass of the people, when he read the fierce invectives in the press against his fellow Christians, and when he listened to frantic denunciations from the pulpit, he felt that he was in an atmosphere where only theological salamanders could exist, and he welcomed the voluntary system or any other system which would compel men to look after their own religion and to leave their neighbors to their own worship and belief.[74] Mr. Dowse had no fear of the voluntary principle. He believed that if the Church were left to voluntary effort, it would gain new vigor. He still believed that the Catholics were a good example of what the voluntary principle could do, even if the Protestants did not have the same power of raising money as the Catholics had. If the Scotch in a poor country could raise over £2,000,000 for a sustentation fund, surely the Irish gentry, Irish tradesmen and Irish professional men need not fear of doing the same.[75] Mr. Henry Richard, member for Merthyr Tydfil, continuing the support for the voluntary principle, used the Welsh as an example. If a poor, persecuted, struggling people like the Welsh provided amply for their religious wants, surely

it was idle to suppose that the Irish Protestants, who, they were told, were the wealthiest part of the Irish population, could not somehow manage to get on without the assistance of the State.[76]

Mr. Gladstone thought that it was a dismal situation when, as professors of a certain creed, they dared not look their Catholic fellow subjects in the face and meet them on a fair field, the moment they were threatened with religious equality, began to utter doleful sounds about the extinction of their faith and to confess that they had only been prevented from being swallowed up in a great vortex because of aid from the State. "Where is there," he asked, "a country so entirely under the voluntary system as Ireland?" And he reminded the House that when they disclaimed against the voluntary system, as Dr. Ball did, they were disclaiming against themselves, because the real trouble was that for many centuries in Ireland there had been a nation on the one side and a Church on the other. He felt sure that if they studied the situation, they would find that such religious life as there was in Ireland was purely voluntary. "If you want to find where religion does not prevail, go where it is richly endowed, for where it does prevail, it is poor and needy. It is too late to urge this objection about voluntaryism. We have made voluntaryism in Ireland and we cannot unmake it."[77]

Such, in brief, were the arguments presented before Parliament regarding the case of voluntaryism as a means of church support in Ireland.

Another objection to the Bill was that it violated the Act of Union and the Coronation Oath. By the Coronation Oath, the Sovereign was bound to maintain the Laws of God, the true profession of the Gospel and the Protestant Reformed Religion established by law, and to maintain and preserve inviolably the settlement of the United Church of England and Ireland, and the doctrine, worship, discipline

and government thereof, as by law established within England and Ireland, and to preserve to the bishops and clergy of England and Ireland and to the Churches committed to their charge, all such rights and privileges as by law appertained to them. In addition, the fifth clause of the Act of Union provided: "That the Churches of England and Ireland, as now by law established, be united into One Protestant Episcopal Church, to be called the United Church of England and Ireland; and that the doctrine, worship, discipline and government of the said United Church shall be, and shall remain in force forever, as the same are now by law established for the Church of England; and that the continuance and preservation of the said United Church, as the Established Church of England and Ireland, shall be deemed and taken to be an essential and fundamental part of the Union." [78] The debate raged quite furiously around this fifth clause. Sir George Jenkinson, Mr. Charley and Lord Hamilton emphatically declared that the Bill did violate the Act of Union, while Mr. Dowse, Mr. Richard and Sir Henry Lytton Bulwer asserted that it did not. Sir George Jenkinson pointed out that the argument that Parliament had made the Union and could therefore break it, might be correct, but certainly they could not break one vital clause of it and leave the rest. He felt that the whole Act must be retained intact or that the whole thing must be repealed. This was not only his view but it was also the view of Lord John Russell and of Lord Plunkett. He also could not see how anyone who read the Coronation Oath could assent to the present measure. If this oath were torn to pieces, how could any oath be held sacred? [79] Mr. Charley maintained that if a Parliament sitting in Dublin declared that the Church ought to be disestablished, he would bow to this decision, but he could not accept such a decision at the hands of the Imperial Parliament. Besides, the Church existed for a long time before the Union, and the Irish Protestants

only agreed to the Union because they were told it would give to their Church additional security. The Act of Union did protect the temporalities of the Church, for in the document occurred the words "doctrine, discipline and government of the Church." [80] Lord Hamilton said it was a mistake to suppose they could repudiate the obligation imposed by the Act of Union. It was not merely an Act of Parliament, but it was a solemn arrangement between two independent Parliaments, representing two distinct kingdoms. The union of the Churches was one of its essential conditions. If the two Parliaments were competent to effect a union, they were certainly bound by its terms. As for the Coronation Oath, surely one could not look upon the oath as a theatrical pageant, without any moral obligation.[81]

It was Disraeli's opinion that however feasible disestablishment might be said to be, provided it could be accomplished without tampering with the Act of Union, nevertheless, it was a fact that Clause Two of the Bill which aimed to dissolve the union between the Churches of England and Ireland certainly violated the Act of Union.[82] Lord Chelmsford and the Earl of Clancarty were of the same opinion, and for that reason they opposed the bill.[83]

That the Bill did not set at naught the Act of Union was asserted by Mr. Dowse. The Fifth Article of the Treaty of Union was only one clause of an Act of Parliament, and besides, the bulk of the Irish were not parties to this treaty. It was made without consulting the Irish Catholics and the Nonconformists. The Protestant Anglicans had made the treaty and it was their descendants who insisted that the Irish nation should be bound by what had been done. Besides, since 1800 the agreement had been subjected to revision by Parliament on several occasions. For example, when a number of bishoprics were abolished, when the tithes were commuted and when the bonus of twenty-five per cent

was given to the Irish landlords. Since the Church had been condemned by public opinion, he was sorry to see the House frightened by the phantom of a treaty.[84] Mr. Richard, who agreed with Mr. Dowse, said that most of the learned clergy, representing every school of theological thought, were rapidly coming to the conclusion that the so-called alliance between Church and State was injurious rather than beneficial, that it embarrassed the action of the Church and the State and benumbed the vital energies of the Church. Therefore, he could not see why there was so much furor about breaking up the Union between Church and State, which depended on a mere Act of Parliament.[85] Sir Henry Lytton Bulwer explained that the Government desired to alter the Act of Union chiefly because Ireland herself had changed since 1800. When this Act had been passed, only the Protestants had political power in Ireland, but since then the Catholics had been given political power, and so the political Ireland of 1869 was not the Ireland of sixty-nine years earlier. They should change their arrangements to accommodate the change in Irish affairs. In conclusion, he said, "In England we have a Church which would require an army to put down, in Ireland we have a Church which it requires an army to keep up. . . . You cannot have a national Church, based on national antipathy. . . . We do not expect to satisfy, but to show that we are resolved to do all that impartial justice can demand to give ultimate satisfaction. . . . The Irish are happy everywhere save in their native land." [86]

Gladstone did not agree that Clause Two, proposing the dissolution of the union between the Churches of England and Ireland, was the most vital part of the Bill, yet he did not think that the clause could be omitted without weakening the purpose of the Bill. No one doubted that the purpose of the Bill required a modification of the Act of Union so far as its substance was concerned. This modification could have been secured without literal reference in the

body of the Bill to the Act of Union, but as the Act was an important historical constitutional statute, the most satisfactory proceeding was to refer to the Act of Union at the head of the Bill, and to remove from the statute book that part of the Act to which the Bill had put an end.[87]

The Earl of Harrowby claimed that the Act of Union was not in itself an insuperable bar to all change, and that he did not believe that any act of legislation ought to tie up all posterity.[88] In this opinion the Marquis of Salisbury heartily concurred.[89] Earl Russell felt that the Act of Union ought not to be lightly treated and set aside except in a great crisis, but he considered this a great crisis.[90]

The discussion on this point revealed much diversity of opinion as to whether or not the plan for the disestablishment of the Church of Ireland involved a violation of the Act of Union.

A number of members expressed the view that the Church of Ireland was not the cause of the discontent prevailing there, and that consequently disestablishment would not bring the unrest to an end. Disraeli pointed out that discontent was connected with the land, and if Gladstone's measure were passed, there would be less chance of controlling the discontent. A Church that was not connected with the State usually supplied a body of clergy who would only be doing their duty to their congregations by being the exponents of any disaffection. The present clergy of the Church, no matter on what terms they were disendowed, would no doubt feel that they had been badly treated, and in the general discontent concerning the land—which was bound to come up later—they would naturally side with the nation.[91] Sir George Jenkinson agreed with Disraeli that the real grievance was the land and that if the House thought that they could stop discontent by Gladstone's measure, they were greatly mistaken.[92] The Bishop of Ripon and the Duke of Abercorn also attributed the dissatisfaction to the

land situation. They did not expect disestablishment to have a feather's weight in producing peace and contentment in Ireland.[93]

Mr. Gathorne Hardy, representing Oxford, said that the grievances in Ireland arose from deeper and more lasting causes; they began before the Irish Church was established. Merely to disestablish the Irish Church would not stop discontent, and the great danger in yielding to sedition was that they would raise hopes in Ireland that would be impossible to fulfill.[94] The Duke of Rutland quoted from *The Tablet,* a Catholic organ, to show that the Bill would not allay the unrest. "We have always thought that it could be shown that if the Irish Church Establishment were abolished tomorrow—if its churches, lands and rent-changes were applied to secular purposes or even to Catholic purposes, . . . or if the Catholic Church were endowed by the State and put on a footing of perfect equality of wealth and privilege with the Protestant Church, we should only have dealt with one feature, with one symptom of the disease, and should not have reached the seat of disorder."[95]

An Irish member, Mr. Agar-Ellis, claimed that disestablishment would allay discontent. He came from one of the most Catholic constituencies in the United Kingdom, Kilkenny. He knew from first-hand knowledge that the discussion of the Act had already done much good in Ireland, but he warned the House not to look for immediate results. The first good that he anticipated from the Bill was that it would stop the trade of the political agitator, for discontent and dissatisfaction could not go on side by side with even-handed justice. The Irish would be convinced that the English were not deaf when they had a really tangible cause of complaint, and in the end this must inevitably strengthen the hands of the Executive.[96]

The efforts of members to elucidate the source of discontent came to little. They tended to ignore the fact that the

Church and the agrarian question were inextricably bound together.

A favorite argument of those who opposed the Bill was that it would endanger the Church of England, and in fact all establishments. Speaking on this subject, Mr. Hardy said that he agreed with Dr. Andrews, the Vice-President of Belfast College, who had said, "The Established Church of Scotland is in some respects scarcely more defensible than that of Ireland. When the Irish Church falls, the days of the Scottish Establishment may easily be numbered. To declare that the fall of the Irish branch of the Established Church would not affect the stability of the Church of England is manifestly absurd; the arguments adduced in support of this paradoxical assertion carry weight with none except those who are willing to be deceived." [97] The Duke of Rutland fully concurred in this opinion, as did also the Bishop of Derry.[98] Lord Redesdale, the Duke of Abercorn and the Bishop of Litchfield likewise maintained that the destruction of the Irish Church could not help but inflict a heavy blow to all establishments.[99]

Sir Lytton Bulwer was of the opposite opinion. He felt that a national Church was an advantage, but one could not have a national Church based on national antipathy. A national Church must be the Church of the nation, and not the Church of a small section of the nation.[100] The Earl of Clarendon said that to talk of this measure as being dangerous to Protestantism and the Church of England was an insult to those who professed that religion. He could not see how anyone could have a faith so feeble that he would despair of the Church if State aid were removed.[101] Lord Penzance felt that it was absurd to use such an argument against the Bill. "Surely," said he, "no one can suppose that the affections of the people of England toward the Church of this country are stimulated by the connection it now has with the Church of Ireland? Should the day ever

come when the affection of the people of this country are withdrawn from it, there would not be much hope left for the English Establishment. What surgeon would hesitate to sacrifice a morbid limb to preserve the rest of the body? Those who wish well to the English Establishment would do well to part with Ireland, the weak point in the English Establishment." [102]

With regard to the argument that the Bill would endanger other establishments, one finds exhibited the two points of view, that of the conservative who fears any change and that of the liberal who considers change desirable.

Some members of Parliament, who were convinced of the undesirability of Gladstone's plan, proposed as a better scheme that of concurrent endowment. The principal obstacles in the path of this proposal were, in the first place, the determination of the Prime Minister, supported by the newly elected House of Commons, to observe the principle of religious equality; secondly, the disinclination of the Roman Catholic clergy to accept payment from the State; and thirdly, the anti-Catholic animus of Lord Cairns and Lord Shaftesbury.[103] Nevertheless, the subject was debated by several members. Mr. Gregory said he held the same view about ecclesiastical endowments as that held by Mr. O'Connell. He considered that they should be strictly applied to the uses for which they were originally intended, namely, religious purposes. He would not go so far as to raise the cry of sacrilege if the endowments were applied to other objects of general utility, but he thought there would have been less trouble had the revenues been devoted strictly to religious purposes. He believed strongly in concurrent endowment, that is, capitalizing the property of the Church and then dividing it among all the denominations, strictly according to the ratio of members, and leaving each to deal with its own share as it pleased.[104]

It was the opinion of Mr. Fortescue that the people had

demanded disestablishment, and to his mind, there were only two ways in which this could be done with equality and justice,—either by general or concurrent endowment or by general disendowment. He was opposed to the first because there would be great difficulty in distributing the fund among the several denominations in Ireland; secondly, because the people in general were opposed to the creation of new endowments; thirdly, because the Presbyterians were strenuously opposed to it and had decided that they would rather lose their own endowment than to have concurrent endowment established. The late Government, he said, had also found that the general public did not want concurrent or general endowment for all the churches, and so they had dropped this "hot potato policy." The only way left, so far as he could see, was to agree on entire disendowment.[105] The Duke of Cleveland and the Duke of Devonshire said that they gave their consent to the Bill only because they felt that concurrent endowment was no longer practicable.[106] Earl Russell said that concurrent endowment had long been his idea of a practical way to settle the Irish Church question. But this proposal had been rejected so many times that he thought it was quite childish now to come forward and say they were still ready to adopt Mr. Pitt's plan of concurrent endowment. That plan was now entirely hopeless because opinion was too strongly set against it.[107]

Gladstone remarked that so far as he was aware, the plan for concurrent endowment was the only one which the Opposition had suggested. Such a plan, of course, would have to provide some scheme of endowment for all the sects of Ireland. Concerning the possibility of concurrent endowment, he quoted a phrase of the Irish clery, "We are prepared to accept the inevitable," but he stated also that he had heard none of them say, "We are prepared to accept the impossible." If the plan of concurrent endowment, which Gladstone considered impossible, was really entertained by

the leader of the Opposition, why was it not elucidated by him in his electoral address. Since this was not done, he very much doubted whether Disraeli and his party had any real plan, and therefore, it was a mere waste of time to discuss the subject.[108]

On the whole, no great interest was manifested in Parliament over the suggestion of concurrent endowment.

Arguments on the details of the Bill

Aside from the debate on the Bill as a whole, there was quite a thorough examination of the details of certain provisions of the measure. These subjects of controversy included the question of complete legal separation of the Irish Church from the Church of England, of the conditions of the Maynooth settlement, of the exact date—1560 or 1660—from which endowments held good, of the proper use to be made of the surplus of the endowment funds after all necessary deductions were made, of the best disposition to be made of certain Church property, and of the right of the Irish bishops to continue to sit in the House of Lords.

On the question as to whether the Church of Ireland should be given complete legal separation from the Church of England, there was a lively debate. If there was to be a legal separation, it meant the repeal of the fifth clause of the Act of Union, which has been quoted above.[109] Disraeli was in favor of maintaining this clause. Identity of doctrine, worship and government were great benefits and ought not to be grudged to the disestablished Church of Ireland. If the Liberal leader wished to secure for the Irish people the freedom which he said was the prerogative of every body of Christians in the country, why did he not secure that same freedom for the minority of the Scottish people? The Protestants of Ireland would have a right to say, "carry your policy into effect completely, or at least postpone our fate till there is one verdict of general ruin

and an entire dissolution of the bonds of society."[110] Dr. Ball objected strenuously to repealing the Act of Union. It had pledged the Church of Ireland to use the English Prayer Book, to adopt the Thirty-nine Articles, and demanded obedience of the clergy to the episcopate. If this Act were repealed, the Irish Church would be free to do as it liked. It might abandon all doctrines of the Church, and might even abandon the Episcopacy. He thought that a Church under the control of the Crown, obliged to follow certain standards and adapt itself to a state of society in which there were so many antagonistic and hostile elements was much better than a Church which had absolute freedom.[111]

Sir Roundell Palmer declared that he desired as much as any one to stand by the doctrine and discipline of the Established Church, and he believed such was the mind and will of the Church; nevertheless, the Church ought to have the right to declare its mind. And this could only be done by a complete legal separation between the two Churches.[112] Mr. Jonathan Pim, member for Dublin, agreed with the members of the Church who said, "Well, if we are disestablished and disendowed, we shall at all events have freedom and independence in the management of our own affairs." It would be a serious blow to take away the endowments of the Church and to deprive it of the dignity of an Establishment, and still leave it under the authority of the Crown. In his judgment, if a church were disestablished and disendowed, the laity would necessarily have to be admitted to a share in its management, or funds could not be raised for its maintenance.[113] The Attorney General, Mr. Sullivan, said that the Legislature could legally force upon the Church certain forms of doctrine, discipline and government so long as the Church was established, but that when the Church ceased to be established, Parliament had no right to prescribe this. It would, therefore, be im-

possible to maintain the provision in the fifth clause of the Act of Union. It was his conviction that the supremacy of the Crown was not impaired by this Bill, for the meaning of supremacy was that the King is supreme in all cases and in all courts. The Bill certainly did not take this away, but when a church became a free and voluntary body, it had the right to meet and to frame its own ordinances, doctrines and forms of worship.[114]

Gladstone agreed that the Bill aimed to separate the Church of England from the Church of Ireland, and he held that this was essential from the point of view of the members of the Established Church itself. Surely they could not deny to the Church of Ireland "that freedom which is an inherent and essential prerogative now recognized in this country of every body of Christians asking no aid from the State." So far as the Government were able to learn, the members of the Church of Ireland agreed with them.[115] That the House of Commons considered legal separation desirable may be concluded from the fact that they accepted this particular clause in Gladstone's Bill by a majority of a hundred and twenty-three.[116]

The plan proposed for the Maynooth settlement aroused considerable controversy. Mr. Roger S. Aytoun, member for Kirkcaldy, Scotland, objected to the Maynooth settlement because the compensation provided in it was not to be given to the individuals personally, but was to be handed to the trustees of the college unconditionally. This was contrary to the treatment of the Church of Ireland and the Presbyterian Church. Besides, he was opposed to giving a permanent endowment to Maynooth. At the time of the recent general election, the Liberal party had gone to the country on the principle of "leveling downwards,"—that equality was to be established among different denominations. To his mind, this did not mean that everyone should gain something, but that all should equally have nothing.

Parliament had no right to turn around and favor "leveling upwards." If they accepted the principle upon which the Bill was based, they ought at least to carry out that principle impartially to all sects alike.[117] Colonel Walter B. Barttelot, member for West Sussex, pointed out that the question asked at the time of the election was whether the Maynooth grant should cease or whether it was to be carried on out of the funds of the Established Church. And the answer had been that it was to cease altogether. This giving of a lump sum to Maynooth College was simply a means of perpetuating the Maynooth grant out of the funds of the Established Church. He was opposed to this "leveling up" policy.[118]

On this question there were only a few speeches in the House of Lords. Bishop Magee was opposed to the manner in which the Government plan dealt with the Maynooth grant. He quoted in derision from Mr. Gladstone's speech when introducing the Bill, in which he spoke of "the spectacle which England would present to the civilized world when she came to perform this magnanimous act of justice and penance." "What a magnanimous sight!" exclaimed Magee. "The first thing that this magnanimous British nation does in the performance of this act of justice and penitence is to put into her pocket the annual sum she had been in the habit of paying to Maynooth, and to compensate Maynooth out of the funds of the Irish Church. This great nation in its act of magnanimity and penitence has done the talking, but it has put the sackcloth and ashes on the Irish Church." [119]

Disraeli reminded the House that the Maynooth Grant was founded by an Irish Protestant Parliament, and that it was a Protestant and Conservative Ministry which reestablished it on a more extensive basis than that upon which it originally stood. As for himself, he desired that the compensation to Maynooth should not only be just but that it should also be liberal, for in considering such changes, one

had to consider the feelings and sympathies of those concerned, which no mere money payment could adequately meet. He thought, however, that the money should be drawn from the Imperial Exchequer rather than from the Church Fund.[120]

Gladstone denied that exceptional favors were provided for Maynooth College. He explained why the Government had laid down no special terms in regard to the money to be paid to the Maynooth trustees, while they had specified definitely concerning the clergy of the Established and Presbyterian Churches. The distinction was due to the fact that a previous act of Parliament had prescribed the duties of the trustees of Maynooth, and that the £2,000 to be granted to Maynooth was not therefore a gift but an obligation to be met. The compensation to Maynooth and to the Presbyterians was in the same category. So far as the sacredness of the Church Fund was concerned, they had already relieved that fund of between £700,000 and £800,000, every shilling of which was paid to the Presbyterians. Moreover, the pledges given to the country in the election campaign were that the Government had declared "that the same equitable and liberal spirit of dealing which was to be applied to the Established Church must also be applied to the Roman Catholic and Presbyterian bodies in Ireland."[121]

Mr. Heygate favored paying Maynooth out of the Church Fund, for they were merely giving Maynooth a fair compensation. When they considered that they planned to give the Church of Ireland, whose membership was under 700,000, its churches, a life interest to its clergy, and its glebes on favorable terms; that the Presbyterians numbering 520,000 were to have £700,000 and fourteen years' purchase of the grants to their college and other small amounts; certainly they were not allowing an unreasonable sum to the Catholic population numbering 4,500,000 when they granted to Maynooth fourteen years' purchase of their grant.[122] Mr.

Bright contended that if the House refused the grant to Maynooth, they were simply signifying that they wished to continue the hostility between the two Churches which had existed for three hundred years. He advised the House that the principle of the Bill was religious equality in Ireland for the future.[123]

When the vote was taken in the Commons on the Maynooth settlement, there was a majority of one hundred and twenty-six in favor of the provision that Maynooth should be compensated out of the Church funds.[124]

Another exciting discussion occurred over the question as to whether the period for which endowments would hold good should be reckoned from 1560 or 1660. Dr. Ball could see no reason for the assignment of the date 1660. It was entirely novel to him to hear that the Church of Ireland first came into sympathy and union with the Church of England on the accession of Charles II. When Jeremy Taylor had preached the funeral service of Archbishop Bramhall, he had said that from 1634 the Church of England and Ireland were of one mind and one heart. Ball could not see how the House could possibly adopt the principle that the Church of Ireland existed only from the reign of Charles II. There was not the slightest doubt that there were vast private endowments in Ireland, but it was difficult to prove this, since there was no register of deeds in Ireland before the reign of Queen Anne. The real question was the existence of a Protestant Episcopal Church which received endowments prior to 1660. There was a clear line of demarcation between the Episcopal Church in Ireland and the Presbyterian and the Roman Catholic Churches, and those who gave money to the Church from 1560 to 1660 certainly knew they were not giving it to the Presbyterian Church, and that they were giving it to the church which had shaken off allegiance to Rome. He warned the House that the recommendation that the year 1660 must be chosen was a

dangerous one, and he feared that if this date were taken, it would discourage gifts to the newly disestablished Church.[125]

Sir Roundell Palmer suggested that since the Thirty-nine Articles were adopted by the Irish Church in 1634, this date ought to be taken instead of 1660. Just because the system of Church government and Church discipline in Ireland might not have been practically established in its present form until after the Restoration was no reason for assuming that a new church had been established, and acting on the supposition that all kinds of endowments before 1660 had been given to some other church than the present one. Even if the Thirty-nine Articles were not adopted until 1634, so far as the law was concerned, there was substantial community of doctrine and of worship already existing in the two Churches. It was quite evident to him that any gifts made at that time must have been made to the Church then established by law, and not to the Church which as the law stood, could not exist. Later on in the discussion, however, Sir Roundell Palmer came around to the Government idea that the year 1660 was the best. He saw, at least, that by taking that date, it would prevent the new Church from taking endowments that were not intended for the Established Church of Ireland and which would only perpetuate an injustice.[126]

Mr. Newdegate claimed that it was not true that there was no identity between the Churches of England and Ireland prior to 1660, and he used as his proof some of the principal Episcopal appointments to the Church of Ireland during the years 1562 to 1641. He found that in 1558 Queen Elizabeth, finding a vacancy in the archbishopric of Armagh, sent her own chaplain, Adam Loftus, to fill the vacancy; in 1593, John Thornborough, Dean of York, was made Bishop of Limerick, and in 1603 he was transferred to Bristol; in 1629, William Bedell, who was ordained in Eng-

land, was made Bishop of Kilmore. In his opinion, these appointments proved that there was something like identity between the two Churches.[127]

Mr. Sullivan, the Attorney General for Ireland, disagreed with the argument that the measure treated the Church with great hardship in taking the date 1660 rather than an earlier one as the date from which validity of private endowments was to be respected. It was his opinion that no one could put his hand upon any endowments of the Irish Church before 1660. The Catholics had made a tremendous struggle for property during the reign of Charles I, and the state of the Irish Church before the Restoration was one of wildest confusion. He felt that the year 1660 was the only intelligible date from which to reckon private endowments.[128]

Gladstone in discussing the date 1660 said that first of all they would have to agree on what private endowments were. As he understood the term, a private endowment must be an endowment from the private resources of a private person; it must be devoted to the endowing of a particular religious persuasion; and if given to an establishment, it must be given to the organization not in its character as an establishment but in its character as a definite religious persuasion. The Government had not inquired whether any private donor since 1660 had given his donation to the Established Church because it was the national Established religion, or because it corresponded with his private convictions in religion. They thought it wiser not to delve too deeply into that point. One could trace with considerable definiteness as far back as 1660 a well-understood religious system as the Established Religion, because it was then that the Nonconformists became a separate body. Down to that time they were more or less in the Church, struggling for mastery. In order to make out a case for private endowment, one had to show that it was given to a definite religious system, and he contended that before 1660

the religious system was by no means definite. Then again, no one heard of the Thirty-nine Articles in Ireland before 1634, when they were brought in by the hard hand of Strafford, the Lord Lieutenant. And if one wanted to go back to 1560, the date of the Act of Uniformity, there would be no private endowments to quibble over, for he did not regard tithes as private endowment. On the other hand, if one went back to the time of James I, the Presbyterians could claim a share, and if one went back to Henry VIII and Elizabeth, it would be necessary to give the Catholics a share in the endowment. This would revive the old controversy about St. Patrick. The only sensible thing to do was to avoid as much controversy as possible and settle on the date 1660.[129]

The outcome of the discussion was that the year 1660 was accepted as the time from which endowments should hold good.[130]

Another point in the Bill which caused no little discussion was the proper disposition to be made of the surplus. By surplus was meant the residue of ecclesiastical property which would remain after every fair and equitable claim had been paid following the disestablishment of the Church of Ireland. In the Bill it was proposed that the surplus be devoted to the relief of unavoidable calamities and suffering, to asylums and hospitals, and to reformatories and training schools. Mr. Brodrick remarked that since there was no provision for inspection, nothing could prevent the institutions which received the surplus from becoming denominational. Since the Government expected to hand over £700,000 to £800,000, how did they propose " to gild the pill so as to make it palatable "?[131] Mr. Fortescue said that it was perfectly obvious that since the Roman Catholics were greatly in the majority, a good share of the surplus to be expended for national purposes must fall to them.[132] Mr. Hamilton maintained that on first sight it seemed fair to use the sur-

plus for the purposes proposed, but the more he looked at the plans for distributing the surplus, the more he thought it no exaggeration to say that they were really forming a new endowment out of the spoils of the plundered Irish Church. The hospitals, lunatic asylums and training schools for nurses were surely in part denominational institutions, since many of them were attached to monasteries or nunneries. Furthermore, if the proposals of the Government were adopted, industrial and reformatory schools and institutions for the care of the blind, deaf and dumb were likely to cease receiving voluntary contributions which had hitherto supported them. This, he thought, would be a bad thing.[133]

Mr. Green, member for Bury St. Edmunds, said that if the House had been asked to divide the funds of the Irish Church with the members of the Catholic Church, it might have been a just proposal, but it seemed to him unjust to take the funds of the Irish Church and to distribute them among poor houses and other institutions which ought to be supported by the State.[134] Mr. Whalley, member for Peterborough, suggested that the surplus funds had better be applied to paying off the national debt, because applying it to lunatic asylums, hospitals and other institutions was just another way of endowing permanently those institutions under the guise of charities, and would only "sow the seed of future discord in Ireland."[135]

The Earl of Granville felt that there were advantages in the Government scheme, and although their plan of applying the surplus was not strictly ecclesiastical in purpose, it was a religious purpose and applied equally to every class and every district of Ireland. The plan, too, had another advantage, in that it excluded any future agitation of the question. Besides, no good alternative scheme had been proposed.[136]

Mr. Gladstone explained that the idea of the Government in disposing of the residue of the Church property was to

devise a plan so that the surplus should be equal in its application to the various parts of Ireland. The purposes for which they proposed to use the revenue covered all of the country. And although proposals had been made to apply it to glebe houses for all denominations, to national education, to reform of land tenure, to relief of poor rates and other objects, he would hold to his original plan—that of devoting it to the relief of unavoidable calamities and suffering, to asylums and hospitals, and to reformatories and training schools. To this relief a sum of £391,000 a year was to be allotted. As for the argument that reformatories ought not to receive any of the funds because they were denominational, his answer to that was that many of these reformatories received grants of public money voted each year by Parliament, and if they were fit to receive money contributed by taxpayers of the three countries, they were certainly fit to receive money from the surplus funds of the Irish Church.[137]

In the end, the Government plan for the disposition of the surplus was accepted by Parliament.[138]

The Government proposal in regard to the tithe rent-charge presented difficulties. The Bill provided that the tithe rent-charge was to be given to the landlords unconditionally at tweny-two and a half years' purchase, or the Government was to make them a compulsory sale of the rent-charge liable to an annual payment at three and a half per cent for forty-five years.[139] Critics of the plan said that it combined sacrilege and bribery,—sacrilege because it was taking property away from the Church and devoting it to secular purposes, and bribery because it attempted to gain the consent of the landlords by handing over to them the property on such terms as made the transfer a gift and not a sale. There seemed to be no necessity for making such an enormous present to the Irish landlord except to buy off his hostility. Such a procedure was based on the doctrine that the end justifies the means.[140]

Speaking for the Government, Mr. Agar-Ellis could not see that this provision of the Bill was doing so much for the landlords, since the support of the Church depended largely on them; the absentee landlords contributed little to anything. He would support the clause as it stood.[141] Dr. Ball also supported the Government. He explained that the Irish Church Commission had unanimously favored the extinction of the tithe rent-charge, in order to end the complaint that the Catholic proprietors were compelled to support the Irish Church.[142] Mr. Gladstone denied the charge that the Government had found it necessary to supply directly an illegitimate and interested motive to the Irish landlords in order to buy off their opposition to the Bill; he wanted the arrangement to stand on its own merits. There were three parties to the Government arrangement: the Exchequer, the Church Fund and the landlord. The Exchequer had to lend money at three and a half per cent which in ordinary times he did not consider a bad arrangement. In regard to the Church Fund, a property which usually sold at seventeen years' purchase was to bring twenty-two and a half years' purchase. This too was not a bad transaction for the Church. As for the landlord, he could pay the tithe rent-charge for forty-five years instead of a perpetual annuity. Neither was this a bad transaction. And besides, a great object of public policy would be attained, namely, the abolition of the tithe rent-charge.[143]

The discussion did not result in any alteration in the scheme to bring about the abolition of the tithe rent-charge.[144]

There was also some controversy over what disposition was to be made of the glebe houses and glebe lands. As proposed in the Bill, they were to be sold to the Church at twelve years' purchase, and any debt on them must be taken by the purchaser. Mr. Vance said that no argument had been advanced by the Government in defense of the appro-

priation of the glebe lands. These lands had been given by Protestant Kings, after the Reformation, to clergy who came with Protestant settlers, and since such lands were not given to the Church of Ireland, the State had no right to take them.[145] Mr. Brodrick also felt that it was unfair to take the glebes from the Church, for in the south of Ireland with which he was acquainted, he knew that the glebes consisted of only a few acres close to the glebe houses. These lands could not be let for anything like their real value, and besides, it was the generosity of the incumbents themselves that had made them what they were. Glebe property had been improved on the basis of the Act of Union, which guaranteed to the Church of Ireland the possession of its property and income.[146]

Mr. Richard Cross, member for Lancashire, said that if the members of the House would refer to Swift's description of the Irish glebes and glebe houses in 1710, they would find that there was then hardly anything worth the name. But since then vast sums had been expended on the glebes, not only by public subscription, but by the holders of the livings themselves. He felt that it was unfair not to give the clergy the glebe houses without paying for them.[147] Mr. Moore, an Irish Catholic from County Mayo, maintained that the glebe houses rested on a totally different basis from other endowments. He was a Catholic, yet he paid tithes in seven parishes in which there were neither church, minister, congregation nor Protestant communion. For twenty-five years he had denounced the Irish Church as the origin of Irish miseries, but the glebe houses were the old homes of the Protestant clergy of Ireland, and surely Parliament ought to recognize the prescriptive right of occupation for three hundred years. He would favor handing them over free, if only as a matter of consideration and good will.[148]

The Attorney General for Ireland explained that it was not possible to hand over the glebe houses without paying

something, since it would violate the principles of the Bill. The glebe houses were the property of the State and if that property were given to the Church, the evils of establishment would remain, and the question with which this Bill tried to deal would only be half settled.[149] Mr. Bright also upheld the Government policy.[150]

Although the matter underwent a great deal of discussion, the plan as provided in the Bill remained unaltered.[151]

In the Bill was a clause providing for the termination of the right of the Irish bishops to sit in the House of Lords. Such a departure did not seem wise to all members of Parliament. The Lords in particular objected to the removal of the Irish Prelates. The discussion in both Houses rested more on sentiment than on logic. Among the speakers were the Bishop of Lichfield, the Archbishop of Canterbury, the Earl of Clancarty, Lord Cairns, the Earl of Derby, Mr. Hardy, Mr. Charley and Mr. Fortescue. It was pointed out that the presence of the Bishops in the upper House depended on the connection between Church and State, and when that connection was severed, there would be no more reason to have bishops of the Irish Church sit in the Lords than to have Roman Catholic bishops.[152] On the other hand, the Archbishop of Canterbury felt that it would be an injustice to deprive the Prelates of this dignity.[153] The outcome of the matter was a modification of the Government plan, whereby " every present Archbishop and Bishop of the said Irish Church shall be deemed qualified and shall continue to enjoy during his life the privilege of being summoned to sit in the House of Lords." [154] This change in the plan was acceptable to both the Lords and the Commons.[155]

Such were the points of controversy raised by Gladstone's Bill for the disestablishment of the Church of Ireland. The debate on the momentous question of the desirability or undesirability of disestablishment on any terms whatsoever was

a notable performance, even in a Parliament whose membership included such able men as Gladsone, Disraeli, John Bright, Sir Roundell Palmer, Robert Lowe, Gathorne Hardy, Earl Granville, Lord Cairns, the Marquis of Salisbury, Archbishop Tait and Bishop Magee.

Brief Review of the Bill in the House of Lords

Without having been greatly altered from the form in which Gladstone introduced it, the Bill passed the House of Commons by a vote of 361 to 247 on May 31, 1869.[156] The real struggle began when the Bill reached the House of Lords. While it was not easy for the Lords to resist a strong Minister commanding a large majority in a House of Commons which had been elected on the very issue of the Irish Church, nevertheless, the representatives of privilege were determined to oppose the measure. Since disestablishment seemed certain, the fight turned upon the amount of property which could be saved for the Church when disestablished.[157]

Various efforts at conciliation were made. At the Queen's request, Archbishop Tait wrote to Gladstone on June 3, proposing himself as the vehicle of intercommunication on the endowment phase of the Bill. He also stated that he would urge the House of Lords to give attention to saving as large an amount of endowment as possible for the Church.[158] The tone of Gladstone's reply made it clear that he would not consent to modifications inconsistent with the principle of the Bill.[159]

The alterations made in the measure by the Lords were such as " to leave disestablishment complete and the legal framework of the Bill undisturbed " but " to reduce disendowment to a shadow." [160] According to their plan, there should be omitted that part of the preamble of the Bill specifying that none of the surplus remaining after all just and equitable claims had been met, should be expended for

the maintenance of any Church or clergy or for the teaching of religion, but that it should be used for the relief of unavoidable calamity and suffering among the Irish people. The Lords desired that the Bill should merely state that the surplus should be applied in such manner as Parliament might at some future time direct. The purpose of the Lords in this regard was to make possible concurrent endowment.[161]

After a long and arduous discussion, the Bill as amended by the Lords passed third reading on July 12 with a majority of only seven.[162] The same day the measure was returned to the House of Commons. Gladstone was in no compromising mood. On July 15 he reviewed the situation. In the course of his speech, he referred to those who had made the amendments to the Bill as "men so out of touch with the feeling of the country that they might have been living in a balloon."[163] The Prime Minister moved the rejection of all amendments involving the principle of concurrent endowment, the disposal of the surplus or the postponement of the date of disestablishment.[164] The following day the House of Commons concluded their consideration of the Lords' amendments.[165] The sentiment against concurrent endowment was overwhelming and there was no disposition to make any new concessions.[166] The Bill, restored substantially to its original form, was again sent to the Lords.[167] Once more that body demanded that the principle of concurrent endowment should not be eliminated.[168] At this stage, failure of the disestablishment measure seemed imminent. Efforts to bring about an agreement were urged by the Queen as well as by members of both parties, for rejection of the Bill would only serve to bring the two Houses into collision and to prolong a dangerous agitation on the subject. While Victoria personally had a strong dislike for disestablishment, nevertheless she deplored the action of the Lords on a Bill which had been carried by an overwhelming majority in a House of Commons chosen specifically on the issue of the Irish Church.[169]

Negotiations were carried on primarily by Lord Granville for the Liberals and Lord Cairns for the Conservatives. Eventually Gladstone somewhat abated his uncompromising attitude and reluctantly yielded to the statement inserted by the Lords permitting the principle of concurrent endowment.[170] Other points of disagreement were likewise compromised, with the result that the Bill was finally passed July 23, 1869.[171]

In explanation of why the Opposition changed their attitude in regard to the Bill, Sir Robert Phillimore stated: "I am satisfied that Disraeli was alarmed and thoroughly frightened at the state of the House of Commons and the country, that Cairns was determined to regain what he had practically lost or was losing, the leadership of the Lords, and that many of his party were frightened. . . . Above all there was a well-grounded alarm on the part of Cairns and his immediate supporters in the Lords, that their order was in imminent danger. Bluster disappeared, and a retreat, as decent as well could be expected, was made from a situation known to be untenable." [172]

Much credit for the successful conclusion of the matter was due to the Archbishop of Canterbury, whose firmness and moderation throughout the whole crisis received the warmest approval of the Queen.[173] The House of Lords, by compromising with the Government, had avoided a dangerous crisis, had gained something for the Church, and had itself escaped humiliation. Inasmuch as concurrent endowment was not actually put into effect, the victory of the Government became practically complete.

Thus in 1869 was passed the famous Irish Disestablishment Bill, perhaps the most successful of all Mr. Gladstone's measures. High praise was accorded the Prime Minister by Henry Edward Manning, who wrote to him as follows: "I could hardly have hoped that you could so have framed, mastered and carried through the Bill from first to last so

complete, so unchanged in identity of principle and detail."[174] An evaluation of Gladstone's accomplishment by a statesman of ripe political experience was that expressed by Earl Russell, who declared: "For three hundred years the Protestant Established Church of Ireland has been the most odious and offensive emblem of the corruption and the intolerance of England. To have quietly removed this monopoly so offensive to the Irish nation, the target against which the arrows of Ireland's best archers were always aimed, without any of the rabbling which marked the expulsion of the English liturgy from Scotland, without disorder, without riot, is a great feat in the history of any statesman." [175]

REFERENCES AND NOTES

1. Morley, *Life of Gladstone,* vol. 2, p. 263.
2. *Ibid.,* p. 258.
3. *Ibid.,* p. 259.
4. *Ibid.*
5. Dr. Magee had been promoted a few weeks before by Disraeli from the Deanery of Cork. Macdonnell, John C., *Life and Correspondence of William Connor Magee, Archbishop of York,* vol. 1, p. 197; Buckle, *Life of Disraeli,* vol. 5, pp. 66, 67.
6. Morley, *op. cit.,* vol. 2, pp. 260–262. See Chapter V.
7. *Ibid.,* pp. 262, 263.
8. *Hansard,* 3d ser., vol. 194: 412–466.
9. Morley, *op. cit.,* vol. 2, p. 264.
10. *Hansard,* 3d ser., vol. 194: 412–418. Mar. 1, 1869.
11. *Ibid.,* 419, 420.
12. *Ibid.,* 427.
13. *Ibid.,* 428–430.
14. See Art. V of Act of Union, Chapter 1.
15. *Hansard,* 3d ser., vol. 194: 432. Mar. 1, 1869.
16. *Ibid.,* 433, 434.
17. *Ibid.,* 437–439.
18. *Ibid.,* 439–442.
19. *Ibid.,* 442, 443.
20. See Chapter 3, note on Regium Donum and Maynooth Grant.
21. *Hansard,* 3d ser., vol. 194: 443–448.
22. *Ibid.,* 448–451.

23. *Ibid.*, 451–454. See Chapter 3.
24. *Ibid.*, 455.
25. *Ibid.*, 455–466.
26. *Ibid.*, 1881–1894. Mar. 19, 1869.
27. *Ibid.*, vol. 196: 1683. June 14, 1869.
28. *Ibid.*, 1838. June 15, 1869.
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CHAPTER VII

The Effects of Disestablishment

Disestablishment was a heavy blow to the Irish Church. Many thought it a fatal one, and believed that the Church had fallen never to rise again. It is not surprising that such an impression should have prevailed, for, associated as it had been since the twelfth century with English misrule, and used by English statesmen too often for political ends, it seemed to be only a creature of the State, which must inevitably perish, when severed from the State. Fortunately, the Church was never better prepared to bear the blow. In the years immediately preceding disestablishment the appointments to the Episcopal bench had ceased to be governed by purely political considerations. Perhaps the Church had never had a greater number of able, learned and pious ministers than at the date of its disestablishment.

The Irish Church Act of 1869, which received Royal assent on July 26, 1869,[1] left the disestablished Church free to frame its own Constitution, without reference to the old Constitution of the United Church, and to do so in its own Convocation, which had not met since the reign of Queen Anne.[2]

The Archbishops of Armagh and Dublin summoned their provincial synods to meet at St. Patrick's Cathedral, Dublin, in September, 1869. The joint synods formed themselves into a Convocation, consisting as in the past of two houses. Archbishop Beresford of Armagh was the President of the Upper House and Dr. West, Dean of St. Patrick's, the Prolocutor of the Lower House. This was the only legally constituted body that could deal with the reconstruction of the Church organization. Several resolutions

were pased, the first of which was a protest that the Convocation was called upon, not to originate a Constitution but to repair a sudden breach made in the ancient Church of Ireland. The second resolution stated that owing to the present condition of the Church, the cooperation of the laity had become desirable. The Convocation then proceeded to consider the composition and mode of election of a General Convocation, which should consist of bishops, lower clergy and laity, and should frame a Constitution for the Church.[3]

As planned by the Convocation, the Church parishioners throughout Ireland elected parochial delegates, who met in diocesan synods and elected lay members to represent them in a General Lay Assembly. This Assembly met in Moleworth Hall, Dublin, in October, 1869, and recommended that a General Convention should be summoned, consisting of archbishops, bishops, lower clergy and laity. A committee consisting of members chosen by the synods of the dioceses was to meet with the bishops to prepare the agenda for the General Convocation. This Committee met, on January 5, 1870, and sat until January 28. It drafted a new constitution to be submitted to the General Convocation.[4]

On February 15, 1870, the General Convocation convened at Dublin and in the autumn of the same year issued a constitution by which the Church of Ireland has ever since been governed. The fundamental points of the constitution were embodied in the preface, which begins with a declaration of belief in the Old and New Testaments as being divinely inspired, and containing all that is necessary to salvation. Other important points of the Constitution were the maintenance of the three orders in the Ministry, namely bishops, priests and deacons, the administration of doctrine and discipline as found in the Anglican Prayer Book, the Thirty-nine Articles and other formulas of the Church; and the continuance of the Church of Ireland in communion with the Church of England as a Reformed Protestant Church. There was

to be a General Synod consisting of a House of Bishops and a House of Representatives. The latter should contain 208 clergymen and twice as many laymen, to be triennially elected by dioceses. This General Synod was to have power to make canons and constitutions, and under certain conditions it might alter articles and formulas. Each diocese was to have its own synod, similarly elected and presided over by the bishop. Each parish was to have a vestry. The archbishops and bishops were to be elected by the diocesan synods. Cases involving ecclesiastical law were to be tried by diocesan courts and a court of final appeal called the Court of the General Synod. The courts were to contain clerical and lay members. The General Convocation also appointed a committee to consider the formulas and ritual of the Church. This committee checked extreme ritualism, which was much less popular in Ireland than in England.[5]

The Irish Church Act of 1869 had provided for the consituation of a Representative Body of the Church of Ireland[6] to deal with the property of the Irish Church, then under the supervision of the Commissioners of the Church Temporalities in Ireland, established in 1867.[7] This Representative Body was incorporated by Royal Charter on October 19, 1870. It consisted of sixty members, all elected excepting the two archbishops and ten bishops who were ex-officio members. Of the other members, there were two laymen for every clergyman. The Parliamentary experience of the bishops and many of the lay members of this organization was very useful in carrying out the difficult task of reorganizing the Church of Ireland.[8]

It was of vital importance to the Representative Church Body that the clergy of the disestablished Church should commute their vested claims into life annuities. In order to induce them to do so a bonus of twelve per cent was offered them. The Irish clergy as a body consented to the commutation plan that had been proposed by Gladstone.[9]

As a result, the Representative Church Body received £7,500,000 as its capital. By careful investment of this capital the Church Body realized some profit. They were also allowed as compensation for private endowments £500,000.[10] By October, 1870, the Church of Ireland had also received donations to the amount of £300,000. The Archbishops of Canterbury and of York and other English bishops were munificent contributors.[11]

The easy-going ways of the sixties are no longer tolerated in the Irish Church of the twentieth century. Organizations have multiplied within the Church; the number of the Church services has increased, and the clergyman of today is expected to play a principal part in philanthropic and missionary enterprises. Such duties he could have neglected in 1869 without comment. This is due perhaps to the awakening of religious consciousness rather than to disestablishment.

The principal gain as a result of disestablishment is that it has brought a more generous and sympathetic support of the laymen, since they have in their hands the financial administration. The money contributed from voluntary sources from 1870 to 1928 (exclusive of the capital provided in the Act to compensate the clergy of that time, and to secure their life interests) has amounted to £7,000,000, over and above the sums paid for parochial expenses and Church repairs. The share of the laymen in the finances of the Church has also kindled their interest in the larger problems of the Church. Moreover, since Disestablishment there is very little ritual or ceremonial controversy. The Disestablished Church is autonomous, it makes its own laws, and appoints its own officers, without any dictation from the State. Since the people themselves make the laws, they must be obeyed, and this has resulted in peace and contentment.[12]

As for the effect of the Disestablishment itself, it secured

the existing life interest of all ecclesiastical persons and was not ungenerous in its terms. By prudent financing, the Church was able to save something over £2,000,000, after having secured the life interest of all ecclesiastical persons. In 1911, the capital of the Church was £9,000,000. In 1871 there were 2,082 clergy serving in Ireland, but in 1911 there were only 1463. The Irish Church, therefore, had to create many parochial unions. But the number of clergy had to be reduced because of the dwindling population, and because of the inevitable reduction of incomes, following the Disestablishment. To-day, in the Irish Church, cases are rare in which an incumbent does not receive £200 a year, but cases are just as rare where the revenue is over that amount. In 1871 the population of Ireland was 5,400,000, in 1911 it was 4,390,000, which meant that the population was diminished by one-fifth. This was caused largely by emigration. In this loss, the Church also shared. In 1871 the membership of the Church was 668,000; and in 1911, 576,000. This decrease reduced the number of parishes and made the financial problem easier for those who were left. But at the same time it would be absurd to think that the Church did not suffer for a long time from the withdrawal of its ancient endowments.[13]

The most outstanding change in the government of the Church was the conversion of a hierarchy into a democracy. Although the Episcopate, acting through two-thirds of their whole number, could in the last resort pronounce a veto on any measure, the laity being two to one, had the greater voting power. This democratic principle was extended to the government of the dioceses and parishes, and to patronage of every kind—from the election of bishops to that of petty parochial officers. The General Synod largely composed of laymen was the only source of legislation. It was also vested with considerable administrative power.[14]

The theological character of the Church in Ireland re-

mained practically the same as before. The traditional antagonism to Roman doctrine, however, affected the formulas of the Irish Church and gave them a more decidedly Protestant character in comparison with the Book of Common Prayer of the Church of England.

It was not an easy task for the disestablished and disendowed Church of Ireland to build up a new organization but fifty-five years of trial as an independent Church have proved that the fear expressed by members of Parliament in 1869 was without foundation.

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